

**Canandaigua Town Board**  
**Meeting Agenda – Revised 2.20.15**  
**February 23, 2015**  
**6:00pm**

1. Call To Order and Pledge of Allegiance
  - Pledge led by Ralph Brandt, Town Board Member
2. Roll Call
  - Town Clerk Confirmation meeting was properly advertised
3. Circulation of Written Communications and Correspondence
  - Letter, Association of Towns, February 11, 2015, Annual Meeting
  - Letter, Ontario County Department of Human Resources, Mary Krause, Director of Human Resources, February 5, 2015, Classification of the Deputy Registrar of Vital Statistics, Part-time
  - Letter, Ontario County Department of Human Resources, Mary Krause, Director of Human Resources, February 4, 2015, Classification Certification for the position of Secretary to Environmental Conservation Board
  - Letter, Ontario County Department of Human Resources, Mary Krause, Director of Human Resources, February 4, 2015, Classification Certification for the position of Secretary to Planning Board
  - Letter, NYS Department of Health, Sheryl C. Robbins, P.E., Approval Water Supply Plans, Rt 21 Transmission Main Extension
  - Letter, Time Warner Cable, Chris Mueller, Director of Local Franchising, February 4, 2015, Programming Information
  - Letter, Ontario County Office for the Aging, Brenda Abel, Volunteer Coordinator, Community Champion Event, Meals on Wheels
  - Letter, NYS Division of Homeland Security and Emergency Services, Susan A. Picarillo, Deputy Director for Recovery and Mitigation, Severe Storms & Flooding payment
  - Newsletter, DePaul Details, Winter 2015
  - Newsletter, NY Planning Federation, Winter 2015
4. Privilege of the Floor
5. Presentations – None Scheduled
6. Public Hearings
  - Proposed Local Law \_\_\_\_\_ of 2015;  
Text Code Amendments to the Canandaigua Town Code (Attachment 1)
7. Priority Business
  - Town Board Strategic Planning Session – 1 hour  
*It is anticipated a motion to move this item to the end of the agenda will be approved.*
8. Reports of Town Officials and Department Heads – Attachment 10
  - A. Director of Parks & Recreation – written report
  - B. Highway Superintendent – **written report**
  - C. Water Superintendent
  - D. Assessor – written report
  - E. Development Director – written report
  - F. Historian
  - G. Town Clerk
  - H. Supervisor – written report
    1. Monthly Financial Report for January 2015 –Attachment 5
      - a. Revenue & Expense Report
      - b. EFPR Solutions Executive Summary
      - c. **Bank Reconciliation Report**

- d. Overtime Report
- 2. Financial Summary Report for 2014 - Attachment 6
  - a. EFPR Solutions Executive Summary
  - b. 2014 Bank Reconciliation Report
- 3. 2014 Sales Tax Report - Attachment 7

9. Reports of Committees, Boards, and Commissions

- A. Planning Board
- B. Zoning Board of Appeals
- C. Environmental Conservation Board
- D. Public Works Committee
- E. Technology Committee
- F. Safety/Security Committee
- G. Strategic Planning Committee
- H. Citizens Implementation Committee
- I. Personnel Committee

10. Privilege of the Floor

11. Resolutions

*Continued Resolutions*

**RESOLUTION 2014- 205: LETTER OF CREDIT FOR THE VILLAS SECTION 3**

**WHEREAS**, the Town of Canandaigua Planning Board has granted final subdivision approval for development and construction of a 36 lot subdivision that includes 36 townhomes to be known as the Villas Section 3;

**WHEREAS**, the Town of Canandaigua Planning Board's conditions of approval dated April 23, 2013 require a landscaping and soil erosion surety to be established;

**WHEREAS**, the property owner's engineering firm has estimated an amount of \$ 319,150.32 for water mains, storm sewers, pavement, grading, and town guarantees;

**WHEREAS**, the town engineer has reviewed and approved of the estimate in a letter dated July 19, 2013, and confirmed November 3, 2014 (Attachment 2);

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua hereby approves and accepts a landscaping soil erosion control surety in the form of a letter of credit for the amount of \$ 319,150.32.

**RESOLUTION 2014- 232: APPROVAL OF CREDIT CARD POLICY**

**WHEREAS**, the Canandaigua Town Board expressed an interest in providing a credit card payment option for the convenience of our customers; and

**WHEREAS**, the Town Board of the Town of Canandaigua requested a policy addressing: 1. the use of credit cards by the public for the payment of certain services; and 2. the use of Town owned credit cards and credit accounts by authorized Town employees; and

**WHEREAS**, on November 24, 2014, the Town Clerk presented the Town Board with a draft policy (Attachment 5) addressing both the use of credit cards by the public for the payment of certain services and the use of Town owned credit cards and accounts by authorized Town employees; and

**THEREFORE BE IT RESOLVED**, the Town Board hereby accepts the Policy and Procedure for the Use of Credit Cards and directs the Town Clerk to forward a copy of the policy to each department manager.

**RESOLUTION 2015-31: RECOMMENDATION FOR THE PURCHASE OF WASTE & RECYCLING EQUIPMENT**

*Tabled to the March 16, 2015 Town Board meeting.*

**WHEREAS**, Senator Nozzolio on behalf of the Town of Canandaigua secured \$50,000 in funding from the Dormitory Authority of State of New York (DASNY); and

**WHEREAS**, the intent of this funding is to provide a means for the Town to upgrade certain Transfer Station operations and equipment; and

**WHEREAS**, the Public Works Committee was charged with determining the best use of these funds and is now recommending the Town Board authorize the following improvements and expenditures:

- A 14 x 20 building that meets the NYS Department of Environmental Conservation requirements for used electronics storage; estimated cost \$9,800.00; and a
- 250- gallon waste oil tank that meets the NYS Department of Environmental Conservation Petroleum Bulk Storage requirements; estimated cost \$2,500.00; and a
- Waste Trash Compactor; estimated cost \$26,700.00; and a
- 40-yard storage container; estimated cost \$8,300.00; and,

**WHEREAS**, the DASNY grant requires the Town to pay for these purchases up front and seek subsequent reimbursement therefore the Public Works Committee is recommending a temporary loan from Line \_\_\_\_\_ of the 2015 Adopted Budget to purchase this equipment; and

**NOW THEREFORE BE IT RESOLVED**, that the Canandaigua Town Board hereby authorizes the Highway Superintendent to make the purchases described above in accordance with the Town of Canandaigua Procurement Policy at a cost not to exceed \$ 47,300.00; and

**BE IT FURTHER RESOLVED**, 1. the Canandaigua Town Board hereby approves a temporary loan from Line \_\_\_\_\_ of the 2015 Adopted Budget for the purchase of this equipment with the understanding this line may not be overdrawn at any time; and 2. the Canandaigua Town Board hereby directs the Town Clerk to forward copies of this resolution to the Town Bookkeeper and EFPR Solutions.

*New Resolutions*

**RESOLUTION # 2015-54: AUTHORIZATION FOR MRB TO COMPLETE A SEWER MASTER PLAN**

**WHEREAS**, the Town of Canandaigua Comprehensive Plan calls for the completion of a town-wide town sewer master plan as part of the approved action steps to help achieve the goals identified in the Master Plan; and,

**WHEREAS**, the Citizen's Implementation Committee has identified the completion of the town sewer master plan as a priority action item for 2015 as a means to understand current conditions; as well as areas where sewer should be considered to promote responsible development; and,

**WHEREAS**, MRB Group has provided a proposal to complete a town-wide sewer master plan conducting an analysis of the existing conditions across the entire Town of Canandaigua including possible connection points at a cost not to exceed \$ 19,000 (Attachment 3); and,

**NOW THEREFORE BE IT RESOLVED**, the town board of the Town of Canandaigua hereby authorizes the Town Supervisor to sign any and all documents required to execute the proposal for the completion of a town-wide sewer master plan for the Town of Canandaigua at a cost not to exceed \$ 19,000 to be paid from line **A.1440.400** of the 2015 budget.

## **RESOLUTION # 2015-55: PROPOSAL FOR PROGRAMMING & CONCEPT DESIGN SERVICES**

**WHEREAS**, the Town of Canandaigua has experienced substantial growth and numerous changes during the past 15 years, and in some cases the current configuration, size, technological aspects, and utilization of existing facilities, including the Transfer Station, do not adequately meet current needs; and

**WHEREAS**, looking at the foreseeable future (2030), more changes are coming to the Town that will further exacerbate existing facility problems and shortfalls; and

**WHEREAS**, the Town of Canandaigua needs to reassess the facilities used and needed by the Town to best meet the needs of its residents, and to develop a Facilities Master Plan prioritizing how it is going to systematically improve its facilities to meet current and projected needs; and

**WHEREAS**, the Public Works Committee conducted a preliminary study identifying the types of facility problems and shortfalls that exist, and identifying the need to make a more extensive review of the facility changes that are needed, and to develop a list of proposed changes and projected costs; and

**WHEREAS**, the Public Works committee, with the direction of the Town Board, approached MRB Group which has a long standing engineering relationship with the Town and is very familiar with the Town, to develop a proposal to provide Architectural and Engineering services related to the review and assessment of the facility changes needed by the Town to best meet the needs of the Town as projected out to 2030; and

**WHEREAS**, MRB Group developed and submitted a proposal dated February 11, 2015, offering to assist the Town of Canandaigua by acquiring programmatic information and developing preliminary facility concepts for the Highway and Water Department, Parks and Recreation Department, Transfer Station, Town Hall, and Town Court facilities; the objective being to receive the Town's needs, assess the utilization of the existing spaces and need for facility changes, document the findings in a written program, and develop conceptual graphic configurations as required; and

**WHEREAS**, the Public Works Committee reviewed this proposal and found it to be in keeping with the needs of the Town and the proposed fee to be fair and reasonable; and

**WHEREAS**, the execution of this proposal will give the Town the information it needs to continue to move forward and improve, and best meet the needs of its residents, and develop a prioritized Facilities Master Plan;

**NOW THEREFORE IT BE RESOLVED**, the Town Board of the Town of Canandaigua hereby approves and accepts the proposal for programming and design services from MRB Group dated February 11, 2015, for a fee of \$12,000, to be paid from A.1440.400.

## **RESOLUTION # 2015-56: SEASONAL EMPLOYEE WAGE RATES AND PAY FREQUENCY**

**WHEREAS**, the Canandaigua Town Board is required to establish employee wages and pay frequency; and

**NOW THEREFORE IT BE RESOLVED**, the Canandaigua Town Board does hereby establish the employee wages and pay frequency for the following seasonal positions:

Job Title	# of	2015 Budget Line	Wage Rate	Pay Frequency
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	Positions			
Recreation Specialist	1	A.7140.142	\$10.50/hr	Bi-weekly
Recreation Specialist	4	A.7140.142	\$9.50/hr	Bi-weekly
Recreation Assistant	4	A.7140.142	\$9.50/hr	Bi-weekly
Senior Lifeguard	1	A.7140.141	\$ 11.25/hr budget	Bi-weekly
Lifeguards	10	A.7140.141	\$10.50/hr	Bi-weekly
Recreation (Gate) Attendants	7	A.7110.142	\$8.75/hr	Bi-weekly

### **RESOLUTION # 2015-57: PROPOSED INTERFUND BUDGET ADJUSTMENTS**

**WHEREAS**, the following end of fiscal year 2014 inter-fund budget adjustments are recommended by EFPR Solutions, the Town Bookkeeper, and the Budget Officer;

TOWN OF CANANDAIGUA						
RECOMMENDED BUDGET ADJUSTMENTS						
Wednesday, December 31, 2014						
ACCT. NO	ACCOUNT TITLE	CURRENT BUDGET	RECOMMENDED INCREASE (DECREASE)	FINAL BUDGET	CURRENT ACTUAL	RECOMMENDED
A.1110.130	Justices Deputy Court Clerk	1,100.00	41.00	1,141.00	1,141.00	1,141.00
A.1420.400	Attorney - Contractual	61,156.91	60.00	61,216.91	61,216.91	61,216.91
A.1460.410	Records Management - Contractual	-	730.00	730.00	730.00	730.00
A.1470.1	Assessment Review Board - Personal Services	-	375.00	375.00	375.00	375.00
A.1680.400	Data Processing - Contractual	31,292.66	6,060.00	37,352.66	37,352.66	37,352.66
A.7110.130	Park Assistant F/T - Personal Services	102,027.18	572.92	102,600.10	102,600.10	102,600.10
A.7110.400	Park - Contractual	100,475.24	731.50	101,206.74	101,206.74	101,206.74
A.8010.122	Zoning CEO P/T - Personal Services	15,649.44	310.24	15,959.68	15,959.68	15,959.68
A.8010.131	Zoning Micro Computer Op - Personal Services	37,711.75	214.16	37,925.91	37,925.91	37,925.91
A.8010.142	Zoning Office Specialist 1 - Personal Services	24,897.19	516.85	25,414.04	25,414.04	25,414.04
A.8020.140	Stenographer PT - Personal Services	5,094.08	11.31	5,105.39	5,105.39	5,105.39
A.8020.410	Engineering - Contractual	24,149.92	1,385.58	25,535.50	25,535.50	25,535.50
A.9901.900	Interfund Transfer (Trust & Agency Bids and Guarantees)	-	14,903.75	14,903.75	-	14,903.75
A.9901.900	Interfund Transfer (Outhouse Park Capital Project)	-	23,382.73	23,382.73	-	23,382.73
A.9950.900	Transfer to Highway Fund	150,000.00	-	150,000.00	-	150,000.00
A.1120	Non Property Sales Tx	(1,600,000.00)	(49,295.04)	(1,649,295.04)	(1,897,092.42)	(1,897,092.42)
			-			
D.5130.400	Machinery - Contractual	183,019.10	2,336.40	185,355.50	185,355.50	185,355.50
D.5130.400.207	Machinery - Contractual Truck #7	8,691.91	539.70	9,231.61	9,231.61	9,231.61
D.5130.400.361	Machinery - Contractual Backhoe #61	33.73	33.00	66.73	66.73	66.73
D.5142.130	Snow Removal - Personal Services	134,194.19	3,537.17	137,731.36	137,731.36	137,731.36
D.5142.400	Snow Removal - Contractual	300,000.00	20,653.41	320,653.41	320,653.41	320,653.41
D.9010.800	NYS Retirement	147,755.00	1,325.60	149,080.60	149,080.60	149,080.60
D.9060.820	Hospital/Medical Buyout	6,000.00	342.25	6,342.25	6,342.25	6,342.25
D.3589	Other State Aid	-	(28,767.53)	(28,767.53)	(33,922.22)	(33,922.22)

**NOW THEREFORE BE IT RESOLVED**, the Canandaigua Town Board hereby authorizes the Budget Officer to make the Interfund Transfers described above.

**RESOLUTION # 2015-58: ACCEPTANCE OF EFPR SOLUTIONS 2014 REVENUE AND EXPENSE CONTROL REPORT RECOMMENDATIONS**

**WHEREAS**, ERPR Solutions has prepared for the Canandaigua Town Board a 2014 Revenue and Expense Control Report; and

**WHEREAS**, the report includes the following recommendations:

1. The Town Board should approve a transfer for \$14,903.75 from the General Fund to the Trust & Agency Fund to cover a difference that appears to have existed since 2012. The liability for Bid Guarantees was to BRW of Perinton was understated by that amount. We were aware of an unidentified difference for \$4,509.50, but the entire difference did not become apparent until the \$10,394.25 was made in December 2014.
2. The Town Board should approve a transfer from the General Fund to the Outhouse Park Capital Project for \$23,382.73. This represents the deficit fund balance in the Outhouse Park Capital Project and there is no other source of funding since it appears that NYS will be approving the \$224,073 balance on the park grant.

**NOW THEREFORE BE IT RESOLVED**, the Canandaigua Town Board approves of the above recommendations and hereby directs the Budget Officer and the Bookkeeper to make the recommended transfers.

**RESOLUTION # 2015-59: ACCEPTANCE OF THE UPDATED TOWN OF CANANDAIGUA ORGANIZATIONAL CHART**

**WHEREAS**, staffing changes have created a need to update the Organizational Chart; and

**WHEREAS**, the Organizational chart has been updated to reflect these changes (Attachment 8); and,

**WHEREAS**, the Town Supervisor and Department Managers have reviewed the proposed Organizational Chart and recommend the Town Board adopt the revised document; and

**NOW THEREFORE BE IT RESOLVED**, the Canandaigua Town Board approves of and hereby adopts the revised Organizational Chart dated February 2015.

**RESOLUTION # 2015-60: 2015 INTER-FUND BUDGET TRANSFER REQUEST**

**WHEREAS**, the following Highway budget transfers are requested:

Account #	HIGHWAY / Description	To	From
D.5130.400.103	Machinery, Contractual, AR#3	554.00	
D.5130.400.201	Machinery, Contractual, Trk#1	913.17	
D.5130.400.202	Machinery, Contractual, Trk#2	375.83	
D.5130.400.203	Machinery, Contractual, Trk#3	205.05	
D.5130.400.207	Machinery, Contractual, Trk #7	159.50	
D.5130.400.215	Machinery, Contractual, Trk #15	58.43	
D.5130.400.217	Machinery, Contractual, Trk #17	1,260.92	
D.5130.400	Machinery, Contractual		\$3,526.90



**NOW THEREFORE BE IT RESOLVED**, the Canandaigua Town Board hereby authorizes the Budget Officer to make the Interfund Transfers described above.

*Resolutions Added 2.20.15*

**RESOLUTION # 2015-61 PROPOSAL TO CREATE THE POSITION OF DEPUTY REGISTRAR OF VITAL STATISTICS**

**WHEREAS**, the Town of Canandaigua Registrar of Vital Statistics has requested the creation of Deputy Registrar of Vital Statistics position to allow for the recording of births, deaths and other events when the Registrar is not available; and

**WHEREAS**, this resolution is administrative in nature and necessary to comply with NYS Civil Service regulations; and

**WHEREAS**, approving this resolution will allow the Town to continue to fill a position that is necessary and has been staffed for many years; and

**NOW THEREFORE BE IT RESOLVED**, the Canandaigua Town Board hereby approves of the creation of the position of Deputy Registrar of Vital Statistics.

**RESOLUTION # 2015-62 PROPOSAL TO CREATE THE POSITION OF SECRETARY TO THE ENVIRONMENTAL CONSERVATION BOARD**

**WHEREAS**, the Environmental Conservation Board is subject to the Open Meetings Law and must comply with all of the requirements of the law including keeping and posting minutes; and

**WHEREAS**, during the 2015 budget workshops the Town Board created a budget line for this position; and

**NOW THEREFORE BE IT RESOLVED**, the Canandaigua Town Board hereby approves of the creation of the position of Secretary to the Environmental Conservation Board.

**RESOLUTION # 2015-63 PROPOSAL TO CREATE THE POSITION OF SECRETARY TO THE PLANNING BOARD**

**WHEREAS**, this resolution is a request to reclassify the position of Clerk to Secretary to the Planning Board; and

**WHEREAS**, if approved this reclassification will not add to the current payroll; and

**NOW THEREFORE BE IT RESOLVED**, the Canandaigua Town Board hereby approves of the creation of the position of Secretary to the Planning Board.

**RESOLUTION # 2015-64 ACCEPTANCE OF THE 2014 SOLID WASTE ANNUAL REPORT**

**WHEREAS**, prior to March 4, 2015, the NYS Department of Environmental Conservation requires the Town of Canandaigua to submit an Annual Report on our Solid Waste and Recycling Activities; and

**WHEREAS**, Jim Fletcher, Highway and Water Superintendent has prepared the 2014 Annual Report on behalf of the Town of Canandaigua (Attachment 11); and

**NOW THEREFORE BE IT RESOLVED**, the Town Board hereby accepts the report and approves the submission of the report to the NYS Department of Environmental Conservation.

**RESOLUTION # 2015-65 ACCEPTANCE OF THE 2014 ELECTRONIC ANNUAL REPORT**

**WHEREAS**, prior to March 4, 2015, the NYS Department of Environmental Conservation requires the Town of Canandaigua to submit an annual report on our electronics collection; and

**WHEREAS**, Jim Fletcher, Highway and Water Superintendent has prepared the 2014 Annual Report on behalf of the Town of Canandaigua (Attachment 12); and

**NOW THEREFORE BE IT RESOLVED**, the Town Board hereby accepts the report and approves the submission of the report to the NYS Department of Environmental Conservation.

**RESOLUTION # 2015-66 REQUEST TO SET A PUBLIC HEARING ON A PROPOSED TRAIL ON TOWN OF CANANDAIGUA PROPERTY AT OLD BROOKSIDE**

**WHEREAS**, the Town of Canandaigua's Planning Board required as a condition of approval for Old Brookside Section 6, a trail to be constructed as previously identified on preliminary approvals; and

**WHEREAS**, the Town Board of the Town of Canandaigua would like to hold a public hearing to inform residents of the proposed trail under consideration; and

**WHEREAS**, the Town Board would like residents to have an opportunity to provide comment and feedback on the proposed trail (Attachment 13); and

**NOW THEREFORE BE IT RESOLVED**, the town board of the Town of Canandaigua hereby sets the date and time of a public hearing to be held on March 16, 2015 at 6:00pm at the Canandaigua Town Hall to review the proposed trail improvements at Old Brookside; and

**BE IT FURTHER RESOLVED**, the Town Board of the Town of Canandaigua directs a public hearing notice be sent to all property owners within 500 feet of the proposed trail.

**RESOLUTION # 2015-67 REQUEST TO CONTRACT WITH A LAWN SERVICE FOR THE SEASONAL MAINTENANCE OF 3 TOWN PARKS**

**WHEREAS**, the Town of Canandaigua advertised in the Daily Messenger, on the Town's website and by Mailchimp for seasonal lawn service proposals for the Leonard Pierce Park, Blue Heron Park and the Richard P. Outhouse Memorial Park and received 3 bids; and

**WHEREAS**, the lowest bid received was from BLR Enterprise for a seasonal total of \$25,100 (Attachment 14); and

**WHEREAS**, the Director of Parks and Recreation, Dennis Brewer is recommending the hiring of BLR pending the outcome of reference checks and the receipt of the required insurance documentation; and

**WHEREAS**, the Town Board budgeted \$15,000 for lawn service (A.7110.400) and \$15,000 for the hiring of a seasonal employee (line A. 7110.131) and Dennis Brewer is recommending an interfund transfer of \$11,000 from line A.7110.131 to line A.711.400 to cover the cost of the seasonal lawn mowing services; and

**NOW THEREFORE BE IT RESOLVED**, the town board of the Town of Canandaigua hereby approves of the proposed interfund transfer and the hiring of BLR pending the outcome of the reference verification and receipt of the required insurance verification; and furthermore authorizes the Town Supervisor to take any and all actions required to execute a service agreement with BLR.

**RESOLUTION # 2015-68 REQUEST TO PURCHASE A SNOW BLOWER**

**WHEREAS**, the Highway Superintendent, Jim Fletcher, is requesting approval to purchase a snow blower that attaches to the Town's wheel loader (Attachment 15) to assist with the safe removal of heavy snow accumulations along the Town's roadways; and



**WHEREAS**, the current method of snow removal is labor intensive, frequently requires the closure of roads, causes damage to yards, and renting effective snow blower equipment is not cost effective; and

**WHEREAS**, Jim Fletcher has identified an opportunity to purchase a snow blower off of the NJPA bid list at a cost not to exceed \$108,000.00 and is proposing to transfer \$108,000 from line D.0230, Highway Equipment Reserves, to line D.5130.200, Machinery Equipment, to cover the cost of the purchase; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board hereby approves of the following:

1. The purchase of a snow blower at a cost not to exceed \$108,000; and
2. The transfer of \$108,000 from D.0230 to D.5130.200; and
3. The Town Board authorizes the Highway Superintendent to take any and all actions necessary to execute the purchase of said equipment.

## **RESOLUTION # 2015-69 REPLACEMENT OF OVERHEAD DOOR AT FIRE STATION #2**

**WHEREAS**, 2 of the overhead doors at Fire Station #2 must be replaced; and

**WHEREAS**, Highway Superintendent Jim Fletcher is in the process of receiving bids for the replacement costs but has estimated the replacement cost to be between \$9000 - \$12,000; and

**WHEREAS**, this is an urgent matter and because the Town Board will not meet again until March 16<sup>th</sup>, Jim Fletcher is requesting the Town Board approve an expenditure up to \$12,000 for the replacement of the overhead doors with the understanding Mr. Fletcher will secure 3 bids and utilize the lowest cost responsible bidder; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board hereby approves of Mr. Fletcher contracting for the replacement of the 2 overhead doors with the lowest responsible bidder at a cost not to exceed \$12,000 to be paid for from line A.1620.400.

12. Approval of the following Minutes:  
February 9, 2015 Meeting Minutes

13. Approval of Charge Back Billing – N/A

14. Payment of the Bills

- Abstract Claim Fund Totals presented by Town Clerk
- Voucher Summary Report for Town Board signatures  
(By signing, Town Board members represent they have reviewed & approve of the prepared Voucher Summary Report and the attached invoices)

15. Privilege of the Floor

16. Other Business

17. Privilege of the Floor

18. Executive Session, as requested

19. Adjournment

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**§ 220-63. Special Use Permit for Commercial Speech Signs**

A. The Town Planning Board may approve a Special Use Permit for a Commercial Speech Sign in the CC Community Commercial District provided that the general conditions set forth in §220-35 of this article and the following standards are met:

- (1) Prior to granting Special Use Permit Approval, the Town Planning Board must make a finding that the proposed sign is in compliance with the standards set forth in § 220-83.
- (2) The specific location of the proposed sign must be shown on a Site Plan approved by the Planning Board.
- (3) Prior to granting Special Use Permit Approval, the Planning Board must make a finding that the proposed signage will not compromise the aesthetic appearance of the surrounding neighborhood.
- (4) Prior to granting Special Use Permit Approval, the Town Planning Board must make a finding that the proposed signage will not significantly increase the magnitude of hazards to motorists and pedestrians caused by sign distractions.

B. Special Use Permit Not Required. Pursuant to § 220-83, a Special Use Permit is not required for commercial speech signs in the CC Community Commercial District, but can be obtained for the property owner's convenience.

**§ 220-23. CC Community Commercial District.**

A. Purpose. The purpose of the CC Community Commercial District uses is to provide a broader range of general and comparison commercial goods, services and facilities necessary to serve the needs of the population of major portions of the Town and adjacent areas.

B. Permitted principal uses.

- (1) Any use permitted in a Neighborhood Commercial (NC) District.
- (2) Shopping centers, malls, plazas or other grouping of commercial uses and buildings.
- (3) Theaters, concert halls, stage productions or similar places of assembly when conducted within enclosed buildings.
- (4) Newspaper printing, including incidental job printing.
- (5) The sale, lease or rental of vehicles, provided that:
  - (a) Such sales shall be conducted in a fully enclosed building located on the same lot and having a building area of not less than 1,000 square feet devoted to the sales and services of vehicles.
  - (b) The sale of vehicles may be carried on in an unenclosed area, provided that:
    - [1] Such area is on the same or an adjacent lot to such building. If the enclosed area is on an adjacent lot, the lot shall be not more than 200 feet from the lot with the building and shall further be in the same ownership as said building, be in a Community Commercial (CC) District, and be used for no other purpose.
    - [2] Such unenclosed area shall be paved, shall be suitably drained, and shall be maintained in a neat and orderly manner.
    - [3] All exterior illumination shall be approved by the Planning Board and shall be shielded from the view of all surrounding properties and streets in compliance with Town Code § **220-77**.
    - [4] Suitable landscaping and/or fencing of such unenclosed area shall be required.
    - [5] As used in this section, the sale of new vehicles shall be deemed to mean only the sale of such vehicles under a franchise granted to the person, firm, or corporation conducting such business by a vehicle manufacturer. Used vehicles shall be sold only in connection with the sale of new automobiles.
    - [6] No establishment for the sale of new and used vehicles shall be opened, conducted, or maintained except as provided above. Site plans for any changes required to bring about such conformance shall be submitted to and approved by the Planning Board before any such change shall be made. The Planning Board may approve, modify, or disapprove such plans and may impose reasonable and appropriate conditions to such approval so that the spirit of this chapter shall be observed.

- (6) Commercial uses such as gift shops, tourist shops, clothing stores, furniture stores, craft shops, sporting goods, shoe stores, grocery stores and liquor stores.
  - (7) Laundromats and dry cleaners.
  - (8) Building supply and farm equipment stores and truck garden nurseries.
  - (9) Electrical, heating, plumbing or woodworking shops.
  - (10) Assembling, converting, altering, finishing, cleaning, or any other processing of products, provided that:
    - (a) Goods so produced or processed are to be sold at retail, exclusively on the premises.
    - (b) Space used for such purposes shall not occupy more than 20% of the area devoted to retail sales, shall be clearly incidental to such retail use and shall be fully concealed from any street.
    - (c) Not more than two persons shall be engaged in such production/processing at any one time.
  - (11) Produce markets.
  - (12) Funeral parlors.
  - (13) Bowling alley, billiard hall or indoor skating rink, or similar forms of indoor commercial recreation.
  - (14) Upon the approval of the Town Planning Board, a principal building may contain a combination of residential and business uses, provided that such residential uses are accessory to the business conducted and located elsewhere than on the street frontage of the ground floor.
  - (15) Restaurants.
  - (16) Financial services.
  - (17) Offices of business, professional or financial organizations.
  - (18) Essential services and public utilities substations, excluding power plants, maintenance buildings and storage yards.
  - (19) Car wash establishments.
  - (20) Rental of trucks, trailers, etc., associated with gasoline services stations or other uses.
  - (21) Motel or hotel.
  - (22) Farm and craft markets.
  - (23) Antique shops.
- C. Permitted accessory uses and structures.
- (1) Any accessory use permitted in the Neighborhood Commercial District.
  - (2) Private garages and storage buildings which are necessary to store any vehicles, equipment or materials on the premises and which are used in conjunction with a permitted business use.
  - (3) Off-street parking, loading and unloading facilities, signs, fences and landscaping, subject to the provisions of this chapter.
- D. Dimensional requirements.
- (1) The dimensional requirements for this district are specified in Schedule I,<sup>[1]</sup> which is a part of this chapter.
- [1]:Editor's Note: Schedule I is included at the end of this chapter.*
- (2) Driveway spacing and corner clearance requirements are specified in Schedule I-A,<sup>[2]</sup> which is a part of this chapter.
- [2]:Editor's Note: Schedule I-A is included at the end of this chapter.*
- E. Special permitted uses. The following uses may be permitted, consistent with the provisions of Article VI, provided that a special use permit is approved by the Town Planning Board:
- (1) Motor vehicle service stations and motor vehicle repair stations.
  - (2) Fast-food service restaurant.
  - (3) Research, engineering, and light manufacturing, as follows:
    - (a) Scientific or engineering research and/or experimental development of materials, methods or products;
    - (b) Engineering design of products and laboratory research;
    - (c) Manufacture of:
      - [1] Electric, electronic or optical instruments or devices;
      - [2] Scientific, laboratory and process control instruments and devices; and
      - [3] Computers and data processing equipment.
    - (d) Light manufacturing, assembling, fabrication, coating, painting, washing or packaging of products produced from previously prepared materials such as textiles, plastics, paper, leather, metals or stones, glass, ceramics, base metal bar, sheet, and special shapes; and
    - (e) Testing and repairing of the products or type of products which may be

manufactured in the district.

(4) Personal wireless communications facilities.

(5) Public uses.

(6) Temporary uses.

(7) Commercial speech signs.

**§ 220-73. Off-street parking regulations.**

**Purpose:** In all districts there shall be provided, at the time any building or structure is erected, enlarged, increased in capacity or changed in use, improved and usable offstreet parking spaces for motor vehicles in accordance with the requirements of this article, Zoning Schedule II, or the New York State Uniform Fire Prevention and Building Code. In the instance where there may be a conflict between the requirements of these three sources, the stricter regulations shall govern. In such cases, off-street parking facilities shall be provided as hereinafter specified for the building as enlarged, or to accommodate the needs of the new use.

**A. Design requirements.**

(1) Off-street parking space shall be provided as further specified in this chapter and shall be furnished with necessary passageways and driveways. For the purposes of this chapter, a parking space shall not be less than 10 feet in width and 20 feet in depth, exclusive of accessways and driveways..

(2) Off-street parking areas for nonresidential uses shall provide a minimum additional area of 100 square feet of area per off-street parking space to provide sufficient area for access drives and aisles.

(3) Off-street parking areas with a capacity for more than 20 vehicles shall delineate fire lanes and post "no parking" markers.

(4) Any off-street parking area with at least 20 off-street parking spaces shall designate a minimum of 5% of those spaces, up to a maximum of 10 spaces, as reserved only for the handicapped and clearly mark them for such use. Parking spaces designated to serve handicapped individuals shall be at least 14 feet in width and 20 feet in depth.

(5) All off-street parking space shall be deemed to be required space on the lot on which it is situated and shall not be encroached upon or reduced in any manner. It shall not be separated by a public highway or right-of-way.

(6) All parking areas, passageways and driveways (except where provided in connection with one- and two-family dwellings, or farm residences and buildings) shall be adequately drained and will have a durable surface, subject to approval of the Town Planning Board.

(7) Each off-street parking space shall be so designed, maintained and regulated that no parking or maneuvering incidental to parking shall be on any public street, walk or alley, and so that any motor vehicle may be parked and unparked without moving or damaging another.

(8) The collective provision of off-street parking areas by two or more buildings or uses located on adjacent lots may be approved by the Planning Board, provided that the total of such facilities shall not be less than the sum required of the various buildings or uses computed separately.

(9) Parking areas may be located in any yard space for nonresidential uses but shall not be located:

(a) So as to impinge on the minimum required buffer width, as measured from the property lot line, as established in § 220-76D; or

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(b) For properties of 60,000 square feet or less in size, any closer than 10 feet to any side or rear property line unless specifically approved by the Planning Board as part of a multiple-parcel shared parking plan; or

(c) For properties greater than 60,000 square feet in size, any closer than 20 feet to any side or rear property line unless specifically approved by the Planning Board as part of a multiple-parcel shared parking plan.

(10) No driveway to an off-street parking area shall be located closer than 50 feet to the intersection of any two streets or within 10 feet of any side lot line identified in § 220-9V(3) or (4) of this chapter, provided further that sufficient distance will always remain for all required radii for said driveway, that said driveway will not be determined by the Planning Board to adversely affect the minimum sight distance for motorists, as recommended in various Town, county and state highway design and traffic safety manuals, or prevent the stacking of vehicles along the highway where there is a traffic control device operating. No driveway to an off-street parking area serving a lot identified in § 220-9V(4) of this chapter shall be located within 20 feet of any side lot line, provided that sufficient distance will always remain for all required radii for said driveway, that said driveway will not be determined by the Planning Board to adversely

affect the minimum sight distance for motorists, as recommended in various Town, county and state highway design and traffic safety manuals, or prevent the stacking of vehicles along the highway where there is a traffic-control device operating. Where a traffic study identifies a different distance to the intersection of any two streets would provide improved highway safety and efficiency, the Planning Board may then require said cited distance as a condition of subdivision or site plan approval. The distance from the driveway to the intersection shall be measured by extending the curb or pavement line of the intersecting street until it intersects the curb or pavement line, extending, if necessary, of the driveway in question. In addition, the minimum separation required by § 220-9V(2), (3), or (4) shall be maintained between two driveways located on any one frontage.

**B. Location of off-street parking facilities.** Off-street parking facilities shall be located as hereinafter specified. Where a distance is specified, such distance shall be walking distance measured from the nearest point of the parking facility to the nearest public entrance of the building that such facility is required to serve.

(1) For one- and two-family dwellings and for all types of residential structures on the same lot with the building they are required to serve.

(2) For multiple-family dwellings, not more than 200 feet from the building they are required to serve.

(3) For other uses, not more than 360 feet from the building they are required to serve.

**C. Screening and landscaping.**

(1) Off-street parking areas for more than five vehicles shall be effectively screened on the rear and side yards by a fence of acceptable design, unpierced masonry wall, landscaped berm or compact evergreen hedge. Such fence shall be erected and maintained in accordance with § 220-9K of these regulations. Such wall or hedge shall not be less than six feet in height and shall be maintained in good condition.

(2) When a parking area for five or more vehicles is within or abuts a residential district, a planted buffer area shall be provided in addition to the fence or wall specified  
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in Subsection C(1) above. Landscaping utilized to provide this buffer shall not be less than four feet in height at the time of planting and spaced not more than three feet apart. The planted buffer area shall not be less than 10 feet in depth.

**D. Lighting.**

(1) All off-street parking areas and appurtenant passageways and driveways (excluding areas serving one- and two-family dwellings and farm dwellings) shall be illuminated adequately during the hours between sunset and sunrise when the use is in operation.

(2) Any lights used to illuminate an off-street parking area shall be so arranged as to reflect the light away from all adjoining property.

**E. Units of measurement.**

(1) In churches and other places of assembly in which patrons or spectators occupy benches, bleachers, pews or other similar seating facilities, each 20 inches of such seating facilities shall be counted as one seat for the purpose of determining requirements for off-street parking facilities.

(2) When units of measurement determining the number of required parking spaces result in the requirement of a fractional space, any fraction shall require one parking space.

**F. Mixed occupancies and uses not specified.** In any case of mixed uses, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. In the case of a use not specifically mentioned in this section, the requirements for off-street parking facilities shall be determined by the Town Planning Board. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use, except as hereinafter specified for joint use.

**G. Joint use.** The off-street parking requirements of two or more uses, structures or parcels of land may be satisfied by the same parking or loading space used jointly to the extent that it can be shown by the owners or operators of the uses, structures or parcels that their operations and parking needs do not overlap in point in time. If the uses, structures or parcels are under separate ownership, the right to joint use of the parking space must be evidenced by a deed, lease, contract or other appropriate written document to establish the joint use.

**H. Required off-street parking space.** Required off-street parking space for specific uses as regulated in this chapter is contained in Schedule II,

*Editor's Note: Schedule II is included at the end of this chapter.*  
which is part of this chapter.



## **I. Authority for Planning Board to Modify Required Number of Parking Spaces.**

(1) Where the Planning Board is reviewing an application for Site Plan Approval, the Planning Board is hereby authorized to modify the required number of parking spaces contained in Schedule II, provided that the Planning Board does not reduce said number of required parking spaces by more than 50%.

(2) Such modification may take place only after the Planning Board finds that either:

(a) Applicant has demonstrated that the specific use routinely requires fewer parking spaces than required by Code; or

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(b) Applicant has demonstrated that adequate public off-street parking facilities are available within 400 feet of the lot containing the subject use; or

(c) Applicant has provided evidence of satisfactory off-site parking arrangements.

(3) Where the Planning Board modifies the required number of parking spaces pursuant to this section, the Planning Board shall impose such conditions as it deems necessary.

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## **§ 220-33. Mixed Use Overlay Districts.**

**A. Purpose.** It is the purpose of the MUO Mixed Use Overlay Districts to provide supplemental regulations to the underlying zoning districts that are located within the three growth nodes identified in the adopted Town of Canandaigua Comprehensive Plan. The MUO Mixed Use Overlay Districts process enables a narrowly defined mix of land use to occur on sites located within one of the three growth nodes once the land has been rezoned and final site plan approval has been obtained. These three growth nodes are identified on the Official Zoning Map and shall be known as the MUO-1 Mixed Use Overlay District Route 332 South, the MU-2 Mixed Use District Route 332 North and the MU-3 Mixed Use District East.

**B. Intent.** It is the intent of the MUO Mixed Use Overlay District to enable a mix of land use to occur within the three growth areas once final site plan approval has been obtained from the Town Planning Board. Final site plan approval within these three growth node areas shall be subject to the following design standards:

(1) A site plan that will continue to attract appropriate development in order to expand upon the economic and fiscal base of the Town in a manner that maintains the unique character of the respective growth node and contributes to maintaining a high quality of life within the community;

(2) A site plan that encourages architectural and site design that is compatible with the site's surroundings;

(3) A site plan that encourages buildings that provide an appropriate transition between adjacent sites within the growth nodes;

(4) A site plan that encourages buildings that are protective of open space resources important to the Town;

(5) A site plan that establishes a clear and consistent character for new structures with existing structures and sites;

(6) A site plan that reduces delays and avoids confusion that developers, landowners, or business operators may encounter during the construction phase of the proposed project; and

(7) A site plan that the Planning Board finds will minimize land use conflicts between adjacent sites and within the growth node area to the greatest extent practicable.

## **C. Establishment of the Mixed Use Overlay (MUO) Districts.**

(1) **Three districts.** The three Mixed Use Overlay (MUO) Districts growth areas referenced above herein shall be delineated on the Town's Official Zoning Map. This delineation shall serve only to establish the eligibility of a parcel of land located therein for consideration of a mixed use designation as either MUO-1, MUO-2 or the MUO-3.

(2) **Process.** An owner of a parcel of land located within a growth node delineated on the Official Zoning Map of the Town of Canandaigua as a Mixed Use Overlay District shall submit a rezoning petition to the Town Board requesting the adoption of a local law to rezone the parcel of land to a Mixed Use District consistent with the growth node. If the Town Board decides to consider the petition, then the Town Board may refer the petition to the Planning Board for an advisory report which report shall be returned by the Planning Board to the Town Board within sixty (60) days. If the Town Board decides to further consider the rezoning petition, then the Town Board may direct the owner to

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prepare and submit an application for Preliminary Site Plan approval to the Planning

Board. The owner shall then have one-hundred and eighty (180) days, which period may be extended from time to time by the Town Board, to obtain Preliminary Site Plan approval from the Planning Board conditioned upon the proposed rezoning to a Mixed Use District. The Town Board, after receipt of the Preliminary Site Plan approval, if required, may then consider the rezoning petition for final determination.

**D. Interpretation of Mixed Use Overlay (MUO) District boundaries.** The Town Board Zoning Officer shall be responsible for interpreting the MUO District boundaries delineated on the Official Town Zoning Map. Prior to making such an interpretation, the Town Board shall receive a recommendation from the Town Zoning Officer as to whether the proposed development lies within the boundaries of the MUO District boundaries. Anyone aggrieved by this interpretation may appeal to the Town Zoning Board of Appeals.

**E. Mixed Use Overlay (MUO) District requirements.**

(1) Dimensional requirements. The dimensional requirements of the respective underlying zoning district shall be met as a condition of final site plan approval except when a mixed use involves a use allowed or specially permitted in one of the other underlying zoning districts located within a mapped MUO District. In this instance, the dimensional requirements shall be those for the more intense district.

(2) Single use permitted. Within the Mixed Use Overlay District, only one use shall be permitted per parcel of land.

(3) Additional mixed use permitted. Where a parcel of zoned MUO District land exceeds the minimum dimensional requirements for a particular use, additional mixed uses may be permitted on the remaining portion of land only when additional lots have been created, the new lots rezoned to the MUO District and final site plan approval granted. There shall be no piecemeal or segmented development allowed within the MUO Districts.

(4) Open space. Each MUO District site shall maintain a minimum of 40% open space. Open space as defined herein does not include constrained lands (e.g., floodplains, freshwater wetlands, slopes of 15% or greater, ridgelines, shorelines, or a maximum of five acres of woodland per site). Open space also does not include driveways, parking spaces, aisles, dumpster enclosures, drainage facilities, or an area to be used for outdoor storage of materials or equipment.

(5) Site plan approval. Each MUO District site shall be subject to site plan approval by the Town Planning Board in accordance with the provisions of Article VII.

(6) Supplementary regulations. Each MUO District site shall be subject to compliance with the supplemental regulations contained in Article VIII.

**F. Mixed Use Overlay District 1 Regulations (MUO-1).**

(1) Permitted uses. The following mix of land use is permitted on a legal lot located within the MUO-1 District:

- (a) One single-family dwelling.
- (b) Multiple-family dwellings, including apartment complexes, where public sewer and water service exist.
- (c) Permitted and special permitted Community Commercial, Neighborhood Commercial, Industrial and Limited Industrial District uses.
- (d) Outdoor recreational facilities and amusement businesses.

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(e) General or specialized farming operations, buildings and structures.

(f) The office of a physician, veterinarian, dentist, musician, teacher, lawyer or a member of some other recognized profession, or the studio of an artist, or the office of a resident agent such as real estate or insurance agent.

(g) Mini-warehouse storage facilities.

(2) Dimensional requirements.

(a) Functional stories. The maximum height of a mixed use structure shall not exceed 35 feet above existing grade.

(b) Maximum building height. The maximum height for commercial and industrial types of land use is limited to 60 feet above existing grade.

(c) Maximum gross square footage. The maximum gross square footage per building is 40,000 square feet.

(d) Maximum building footprint. The maximum square footage for a building footprint shall be 20,000 square feet.

**G. Mixed Use Overlay District 2 (MUO-2).**

(1) Permitted uses. The following mix of land use is permitted on a legal lot located within the MUO-2 District:

- (a) One single-family dwelling.
- (b) Multiple-family dwellings, including apartment complexes, where public sewer and water service exist.



- (c) General or specialized farming operations, buildings and structures.
- (d) Permitted and special permitted Community Commercial, Neighborhood Commercial, Industrial and Limited Industrial District uses.
- (e) Outdoor recreational facilities and amusement businesses.
- (2) Dimensional requirements.
  - (a) Functional stories. Each mixed use structure shall be limited in height to 35 feet in height above existing grade.
  - (b) Maximum building height. The maximum height for commercial and industrial types of land use is limited to 60 feet above existing grade.
  - (c) Maximum gross square footage. The maximum gross square footage per building is 40,000 square feet.
  - (d) Maximum building footprint. The maximum square footage for a building footprint shall be 20,000 square feet.

**H. Mixed Use Overlay District 3 (MUO-3).**

- (1) Permitted uses. The following mix of land use is permitted on a legal lot located within the MUO-3 District:
  - (a) One single-family dwelling or one two-family dwelling.
  - (b) General or specialized farming operations.
  - (c) One multiple-family dwelling, excluding apartment complexes, where public sewer and water service exist.
  - (d) Permitted and special permitted uses in the NC Neighborhood Commercial District.
  - (e) Permitted and special permitted uses in the LI Limited Industrial District.
  - (f) The office of a physician, veterinarian, dentist, musician, teacher, lawyer or a member of some other recognized profession, or the studio of an artist, or the office of a resident agent such as real estate or insurance agent.

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- (g) Outdoor recreational facilities and amusement businesses.
- (h) Mini-warehouse storage facilities.
- (2) Dimensional requirements.
  - (a) Functional stories. Each mixed-use structure shall be limited to 35 feet in height above existing grade.
  - (b) Maximum building height. The maximum height for commercial and industrial types of land use is limited to 40 feet above existing grade.
  - (c) Maximum gross square footage. The maximum gross square footage per building is 30,000 square feet.
  - (d) Maximum building footprint. The maximum square footage for a building footprint shall be 15,000 square feet.

**I. Higher standards to prevail; improvements required.**

- (1) The provisions of this chapter shall supersede local laws, ordinances, codes or regulations to the extent such laws, ordinances, codes or regulations are inconsistent with the provisions of this section, provided that nothing herein contained shall be construed to prevent the adoption and enforcement of a law, ordinance or regulation which is more restrictive or establishes a higher standard than those provided in this chapter and such more restrictive requirement or higher standard shall govern during the period in which it is in effect.
- (2) In a case where a provision of this section is found to be in conflict with a provision of a zoning, building, electrical, plumbing, fire safety, health, water supply or sewage disposal law or ordinance, or regulation adopted pursuant thereto, or other local law, ordinance, code or regulation, the provision or higher standard shall prevail.

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**§ 220-94. Violation of Zoning Board of Appeals conditions or restrictions.**

Failure to comply with any condition or restriction prescribed by the Board of Appeals in approving any appeal for a variance, or a modification of regulations, shall constitute a violation. Such violation may constitute the basis for revocation of a variance or modification or for imposing penalties and other applicable remedies against the property owner or other offending parties.

**§ 220-98. (Reserved) Violation of Planning Board conditions or restrictions.**

Failure to comply with any condition or restriction imposed by the Planning Board in granting any Site Plan Approval, Special Use Permit, or Subdivision Approval shall constitute a violation. Such violation may constitute the basis for revocation of the approval or permit, or for imposing penalties and other applicable remedies against the property owner or other offending parties.

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**§ 220-92. Creation, appointment and organization of Zoning Board of Appeals.**

A. The Town Board does hereby establish a Zoning Board of Appeals.

- (1) The number of members of the Zoning Board of Appeals shall be five members.
- (2) Each member's term of office shall be that specified elsewhere in New York State Town Law and may be amended from time to time as further specified in Town Law.
- (3) There shall also be one alternate member, to be appointed by resolution of the Town Board for a term of five years.
- (4) The Zoning Board of Appeals Chairperson shall designate an alternate member to substitute for a member **only** when such member is unable to participate because of a conflict of interest on an application or matter before the Board, **or when a member is absent from the meeting at which the Zoning Board of Appeals votes on an application. Prior to designating an alternate member to substitute during a member's absence, the Zoning Board of Appeals Chairperson must make a finding on the record that: (a) the member was notified of the scheduled meeting of the Zoning Board of Appeals; (b) the member was aware that the Zoning Board of Appeals would be voting on the particular application; and (c) the alternate member was present for all relevant public hearings held for the application.**
- (5) Members and alternate members shall maintain a minimum number of hours of training annually as set forth by resolution of the Town Board.
- (6) Members and alternate members shall receive training from sources as set forth by resolution of the Town Board.

**B.** The Town Board shall, at its organizational meeting each year, appoint a Chairperson to the Zoning Board of Appeals. The term of office shall be one year.

[Amended 2-13-2012 by L.L. No. 1-2012]

**C.** The Zoning Board of Appeals shall, by resolution, establish and maintain such rules and regulations as are required by law and the provisions for the transaction of their business. A copy of said resolution shall be filed with the Town Clerk.

**D.** Whenever the Zoning Board of Appeals, after hearing all the evidence presented upon an application for appeals under the provisions of this chapter, takes action to deny the application, said Board shall refuse to hold further hearings on the same or substantially similar application for appeal by the applicant, their successors or assigns, for a period of one year, except and unless the Board shall find and determine from the information supplied in the request for a rehearing that changed conditions have occurred relating to the promotion of public health, safety, convenience, comfort, prosperity and general welfare and that a reconsideration is justified. Such rehearing may be granted only upon a unanimous vote of all members of the Board then present.

**\*\*\*MUNICIPAL HOME RULE LAW § 22\*\*\***

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#### **§ 220-95. Creation, appointment and organization of Planning Board.**

**A.** The Town Board does hereby establish a Planning Board.

- (1) The Town Board has adopted this chapter under the authority of § 271 of New York Town Law and § 10(1)(ii)(a)(1) of the New York Municipal Home Rule Law.
- (2) The number of members of the Planning Board shall be decreased from seven to five members. The decrease in membership shall take effect on January 1, 1999.
- (3) Members now in office shall continue to serve until expiration of their respective original terms. All new appointees and reappointments shall be appointed for a term of five years as provided in Town Law, § 271(4), except as provided for in Town Law, § 271(5).
- (4) Any member's term of office that commences and terminates at a time other than the commencement and termination date of the terms of office for the majority of members shall be subject to a restricted term of office at the next date of appointment in order to achieve a uniform commencement and termination date of office for all members.
- (5) There shall also be one alternate member, to be appointed by resolution of the Town Board for a term of five years.
- (6) The Planning Board Chairperson shall designate an alternate member to substitute for a member **only** when such member is unable to participate because of a conflict of interest on an application or matter before the Board, **or when a member is absent from the meeting at which the Planning Board votes on an application. Prior to designating an alternate member to substitute during a member's absence, the Planning Board Chairperson must make a finding on the record that: (a) the member was of the scheduled meeting of the Planning Board; (b) the member was aware that the Planning Board would be voting on the particular application; and (c) the alternate member was present for, or has familiarized himself with, all relevant public hearings held for the application.**

(7) Members and alternate members shall maintain a minimum number of hours of training annually as set forth by resolution of the Town Board.

(8) Members and alternate members shall receive training from sources as set forth by resolution of the Town Board.

**B.** The Town Board shall, at its organizational meeting each year, appoint a Chairperson to the Planning Board. The term of office shall be one year.

[Amended 2-13-2012 by L.L. No. 1-2012]

**C.** The Planning Board shall, by resolution, establish and maintain such rules and regulations as are required by law and the provisions for the transaction of their business. A copy of said resolution shall be filed with the Town Clerk.

\*\*\*MUNICIPAL HOME RULE LAW § 22\*\*\*

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**§ 220-97. Planning Board office.**

The [Town's Development Office](#) of the Town Clerk shall be the office of the Planning Board. [The Town Clerk shall maintain the records for the Planning Board.](#)

Every rule, regulation, amendment or repeal thereof and every order, requirement, decision or determination of the Board shall immediately be filed [with the Town Clerk in said office](#) as required by the Town Law of the State of New York. The Planning Board shall keep minutes of its proceedings, showing the vote, indicating such fact, and shall keep records of its environmental reviews and determination, its examinations and other official action.

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**§ 115-16. Residential structures.**

A. Elevation. The following standards, in addition to the standards in § 115-14, Subsection A, Subdivision proposals, and Subsection B, Encroachments, and § 115-15, Standards for all structures, apply to structures located in areas of special flood hazard as indicated:

(1) Within Zones A1-A30, AE and AH and also Zone A if base flood elevation data are available, new construction and substantial improvements shall have the lowest floor (including basement) elevated [at least two \(2\) feet to or](#) above the base flood level.

(2) Within Zone A, when no base flood elevation data are available, new and substantially improved structures shall have the lowest floor (including basement) elevated at least three feet above the highest adjacent grade.

(3) Within Zone AO, new and substantially improved structures shall have the lowest floor (including basement) elevated [at least two \(2\) feet](#) above the [highest](#) adjacent grade at least as high as the depth number specified in feet on the community's Flood Insurance Rate Map enumerated in § 115-6 (at least two feet if no depth number is specified).

(4) Within Zones AH and AO, adequate drainage paths are required to guide floodwaters around and away from proposed structures on slopes.

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**§ 174-16. Conservation subdivisions.**

**A. Purpose.** Pursuant to § 278 (cluster subdivisions) of New York Town Law, the purpose of these regulations is to achieve a balance between well-designed development, meaningful open space conservation and natural resource protection in the Town of Canandaigua by requiring conservation subdivisions instead of conventional subdivisions. Conservation subdivision (clustering) is intended to encourage development in the most appropriate locations on a subdivided parcel, to limit the impact of development on sensitive and/or significant environmental, agricultural, historical and archaeological resources, and to encourage development that enhances the Town's rural character, pattern and scale of settlement. [See also § 174-7G of this chapter.](#) The process for conservation subdivision of land shall be as follows:

(1) Step 1: Determine applicability or exemption.

(2) Step 2: preapplication sketch plan discussion (voluntary).

(3) Step 3: Identify constrained (undevelopable) land.

(4) Step 4: Calculate maximum permissible number of lots.

(5) Step 5: Perform conservation analysis.

(6) Step 6: preliminary plat review.

(7) Step 7: final plat review.

**B. Applicability.**

(1) These regulations shall apply to all subdivisions of property in all zoning districts unless:

(a) The proposed subdivision results in a total of four or fewer lots created from one parent parcel; and

(b) [The road frontage of the parent parcel will not be reduced by more than](#)

50% newly created lot or lots will not reduce the road frontage of the parent parcel by more than 50%; and

(c) No new public street or private roads will be created; and

(d) No more than 10% of the parent parcel contains priority natural resources as identified in the Town's Natural Resources Inventory.

(2) Subdivision proposals that do not meet all four of the above criteria shall be subject to preliminary and final subdivision review, as described in this chapter, and the conservation subdivision process described herein.

(3) Subdivision proposals that meet all four of the above criteria may, at the discretion of the applicant, utilize the conventional subdivision process described in this chapter.

#### **C. Standards for conservation subdivisions.**

(1) Density calculation.

(a) The maximum number of residential dwellings allowed on a site shall be known as the base density. Appropriate lot sizes will be determined by the Planning Board after careful consideration of all site characteristics and development requirements.

[1] Constrained land includes:

[a] New York State or federally regulated wetlands.

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[b] Watercourses as depicted in the Natural Resources Inventory.

[c] One-hundred-year floodplains.

[d] Slopes over 15%.

[e] Land which contains one or more acres of woodlands, up to a maximum of five acres in any one area of the site.

[f] Land which is occupied by existing public utility structures or improvements.

[g] Land encumbered by existing easements or in other ways made unavailable for development.

[h] Land which is within an existing drainage control area or right-of-way.

[i] Land which is otherwise found by the Planning Board to be unsuitable for development.

[2] Unconstrained acreage shall be determined by subtracting the acreage of constrained land from the total (gross) acreage.

[3] Base density shall be determined by dividing the unconstrained acreage by the allowable number of acres per unit required within the zoning district. All fractional units shall be rounded to the nearest whole unit.

(b) Pursuant to § 261-b of New York Town Law, the base density, as determined by Subsection **C(1)(a)** above, may be increased by up to 15% by the Town Board within areas served by public water and sewer, if permanent public access will be granted to the protected open space land and any associated improvements.

(c) The maximum base density determined under this section may be further reduced by the Planning Board as a result of the conservation analysis required in Subsection **C(2)**, Conservation analysis, below.

(d) The density permitted by this section shall not be further reduced as a result of the reservation of parkland during the subdivision process.

#### **(2) Conservation analysis.**

(a) As part of its preliminary plat submission [See Subsection **D(2)**, Permanent preservation by conservation easement, below.], an applicant shall prepare a conservation analysis, consisting of inventory maps, description of the land and an analysis of the conservation value of various site features. The conservation analysis shall show lands with conservation value, including but not limited to:

[1] Constrained land as defined in Subsection **C(1)(a)[1]** above;

[2] Open space and recreational resources described in the Town's Farmland and Open Space Conservation Plan and Lands of Conservation Interest Map;

[3] Buffer areas necessary for screening new development from adjoining parcels;

[4] Land exhibiting recreational, historic, ecological, water resource, scenic or other natural resource value, as shown within the Town's Natural Resources Inventory; and

[5]In districts where agriculture is a permitted use, the agricultural value of land as indicated by the presence of soils classified by the U.S. Department of Agriculture as prime, prime if drained, and soils of statewide importance.

(b)The conservation analysis shall describe the importance and the current and potential conservation value of all land on the site. In the course of its initial preliminary plat review, the Planning Board shall indicate to the applicant which of the lands identified as being of conservation value are most important to preserve.

(c)The outcome of the conservation analysis and the Planning Board's determination shall be incorporated into the approved preliminary plat, which shall show land to be permanently preserved by a conservation easement. The preliminary plat shall also show preferred locations for intensive development as well as acceptable locations for less dense development.

(d)The determination as to which land has the most conservation value and should be protected from development by conservation easement shall be made by the Planning Board. Whenever the Planning Board approves a preliminary plat with protected open space, it shall make written findings identifying the specific conservation values protected and the conservation findings supporting such protection. An application that does not include a complete conservation analysis sufficient for the Planning Board to make its conservation findings shall be considered incomplete.

(e)The preliminary plat shall show the following as land to be preserved by conservation easement:

[1]Constrained land identified by the analysis described in Subsection **C(1)** above; and

[2]Within residential districts, at least 40% of the land not preserved in Subsection **C(2)(e)[1]** above.

(f) If, based upon the conservation analysis, the Planning Board determines in its conservation findings that there is no reasonable basis for requiring a conservation subdivision, the Board may approve a conventional subdivision plat. In order for the Planning Board to make such a determination, the Planning Board must find at least one of the following:

[1]The land contains no substantial resources with conservation value.

[2]The total acreage under consideration is too small to preserve a substantial amount of land with conservation value (This criterion shall not be evaded by piecemeal subdivision of larger tracts.) or the lot configuration is unique and precludes preservation of a substantial amount of land with conservation value.

(g)In order to make the required showing under Subsection **C(2)(f)[1]** or **[2]** above, the applicant must also demonstrate that the parcel does not adjoin other land that, when combined with open space on the parcel, would result in the preservation of a substantial amount of land with conservation value (including, but not limited to, any portion of a designated trail  
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corridor), regardless of whether or not the adjoining parcels have been protected as open space.

(h)Approval of a conventional subdivision shall refer to the conservation findings and may be conditioned upon the protection by conservation easement of portions of the site identified in the conservation analysis.

**(3)Types of development in a conservation subdivision.** The allowable residential units may be developed as single-family or two-family dwellings. Within a conservation subdivision, a maximum of 25% of the residential units may be placed in two-family dwellings.

**(4)Area and dimensional requirements.**

(a)The minimum lot sizes permitted within conservation subdivisions shall be as follows:

[1]Within the R-1-20 District, where a site has both public water and sewer service, lot area shall not be smaller than 10,000 square feet.

[2]Within the R-1-30 District, where a site has both public water and sewer service, lot area shall not be smaller than 15,000 square feet.

[3]Within the SCR-1 District, where a site has both public water and sewer service, lot area shall not be smaller than 20,000 square feet.

[4]Within the MR, NC, RB-1, CC, I and LI Districts, where a site has

both public water and sewer service, lot area shall not be smaller than 30,000 square feet.

[5] Within all areas not served by public water and sewer service, minimum lot sizes shall be determined by the Planning Board with regard to specific site characteristics and public health and safety concerns.

(b) Where a conservation subdivision abuts an existing residence in a residentially zoned area, a suitable buffer area shall be required by the Planning Board. This buffer shall be at least the same distance as the minimum rear or side yard setback in the district in which the abutting land is located.

(c) Where residential lots within a conservation subdivision abut agricultural operations, a suitable buffer area shall be required by the Planning Board. See also Town Code Chapter **107**, Farming, for the Town of Canandaigua Right-to-Farm Law.

(d) The applicant shall specify dimensional requirements for a proposed conservation subdivision by identifying setbacks and other lot dimensions to be incorporated into the final plat.

**(5) Town Clerk notations on Official Zoning Map.** In accordance with § 278 of Town Law, when the final plat is filed with the County Clerk and a copy of the final plat is filed with the Town Clerk, the Town Clerk shall make appropriate notations and references thereto on the Town Zoning Map. The Town Clerk shall make such notations and references as needed, but not less frequently than semiannually.

**(6) Conservation subdivision of a portion of larger tract.** The Planning Board may entertain an application for a subdivision of a portion of a parcel if a conservation analysis is provided for the entire parcel, and the approval to develop a portion of the parcel is not a basis for the applicant or successor in interest to subsequently request an exception under Subsection **C(2)(f)** for the remainder of the parcel.

**(7) Conservation subdivision design guidelines.**

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(a) Conservation subdivisions shall be arranged in a manner that protects land of conservation value.

(b) Preserved open space shall not be included as a portion of a building lot and shall be contained in one or more separate open space lots. Preserved open space shall be arranged contiguously to the greatest extent practicable. Unpaved areas contained within cul-de-sac turnarounds shall not be counted within open space configurations.

(c) Except as specified herein, conservation subdivisions and development thereof shall be subject to all requirements applicable to subdivisions.

(d) The Town's Farmland and Open Space Conservation Plan, and specifically the Lands of Conservation Interest Map, shows the location of ridgelines in the Town. As part of preliminary subdivision review, applicants shall provide written documentation of compliance with these guidelines, or any necessary variations therefrom.

**D. Permanent open space.** Open space set aside in a conservation subdivision shall be permanently preserved as required by this section. Any development permitted on land located in a conservation subdivision that is not protected as open space shall not compromise the conservation value of such open space land.

**(1) Conservation value of open space.** The open space protected pursuant to this section must have conservation value, which shall be determined in the course of the conservation analysis described in Subsection **C(2)** above.

**(2) Permanent preservation by conservation easement.**

(a) A perpetual conservation easement restricting development of the open space land and allowing use only for agriculture, forestry, passive recreation, protection of natural resources or similar conservation purposes, pursuant to § 247 of the General Municipal Law and/or §§ 49-0301 through 49-0311 of the Environmental Conservation Law, shall be granted to the Town, with the approval of the Town Board, and/or to a qualified not-for-profit conservation organization acceptable to the Town Board. Such conservation easement shall be approved by the Planning Board and is required for final plat approval. The Planning Board shall require that the conservation easement be enforceable by a recognized land trust or similar agency, or the homeowners' association, if the Town is not the holder of the conservation easement. The Planning Board shall confirm that the deed includes language regarding the conservation easement prior to final approval. The conservation easement shall be recorded in the County Clerk's office, and recording information (liber and page) shall be shown on the final plat prior to filing of the final plat in the County Clerk's office.

(b) The conservation easement shall prohibit residential, industrial or



commercial use of open space land (except in connection with agriculture, forestry and passive recreation) and shall not be amendable to permit such use. Driveways, wells, underground sewage disposal facilities, local utility distribution lines, stormwater management facilities, trails and agricultural structures shall be permitted on preserved open space land with Planning Board approval, provided that they do not impair the conservation value of the land. Forestry shall be conducted in conformity with applicable best management practices as described Page 23 of 43

by the New York State Department of Environmental Conservation's Division of Lands and Forests.

(c) A land management plan, approved by the Planning Board, shall be included in the conservation easement. The land management plan shall contain the following information:

[1] A baseline property condition report fully describing conditions of the property to be protected under the easement.

[2] Primary contact information for all parties responsible for holding, monitoring and enforcing the easement.

[3] A monitoring schedule and associated requirements.

[4] A recordkeeping procedure.

[5] An enforcement policy.

[a] The conservation easement shall provide that if the Town Board finds that the management plan has been violated in a manner that renders the condition of the land a public nuisance, the Town may, upon 30 days' written notice to the owner, enter the premises for necessary maintenance, and the cost of such maintenance by the Town shall be assessed against the landowner, or, in the case of a homeowners' association, the owners of properties within the development, and shall, if unpaid, become a tax lien on such property or properties.

[b] The conservation easement shall provide that if the Town's Code Enforcement Officer finds that the conservation easement or management plan has been violated in any way, the owner of the property and any persons or entities contributing to said violation shall be subject to the penalties specified for Zoning Code Violations in Town Code § 220-114, § 220-115, and § 220-99.

[6] An amendment procedure.

[7] For easements not held by the Town, a policy regarding dissolution of the easement-holding party.

(d) The Town's Code Enforcement Officer shall have authority to enforce any conservation easement in the Town regardless of whether said conservation easement has been granted to the Town. Enforcement of conservation easements by the Town's Code Enforcement Officer shall be pursuant to the provisions of Town Code § 220-99(D).

**(3) Notations of final plat.** Preserved open space land shall be clearly delineated and labeled on the subdivision final plat as to its use, ownership, management, method of preservation and the rights, if any, of the owners of lots in the subdivision and the public to the open space land. The final plat shall clearly show that the open space land is permanently preserved for conservation purposes by a conservation easement required by the section and shall include deed recording information in the County Clerk's office for the conservation easement.

(a) Ownership of open space land. Open space land may be owned:

[1] In common by a homeowners' association (HOA); or

[2] Offered for dedication to Town, county or state government; or

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[3] Transferred to a not-for-profit conservation organization acceptable to the Planning Board; or

[4] Held in private ownership; or

[5] Held in such other form of ownership as the Planning Board finds appropriate to properly manage the open space land and to protect its conservation value.

(b) If the land is owned in common by a HOA, such HOA shall be established in accordance with the following:

[1] The HOA application must be submitted to the New York State Attorney General's office before the approved subdivision final plat is signed and must comply with all applicable provisions of the General



Business Law. The HOA must be approved by the New York State Attorney General's office prior to issuance of the first certificate of occupancy from the Code Enforcement Officer.

[2] Membership must be mandatory for each lot owner, who must be required by recorded covenants and restrictions to pay fees to the HOA for taxes, insurance and maintenance of common open space, private roads and other common facilities.

[3] The HOA must be responsible for liability insurance, property taxes and the maintenance of recreational and other facilities and private roads.

[4] Property owners must pay their pro rata share of the costs in Subsection **D(3)(b)[2]** above, and the assessment levied by the HOA must be able to become a lien on the property.

[5] The HOA must be able to adjust the assessment to meet changed needs.

[6] The applicant shall make a conditional offer of dedication to the Town, binding upon the HOA, for all open space to be conveyed to the HOA. Such offer may be accepted by the Town, at the discretion of the Town Board, upon failure of the HOA to take title to the open space from the applicant or other current owner, upon dissolution of the association at any future time, or upon failure of the HOA to fulfill its maintenance obligations hereunder or to pay its real property taxes.

[7] Ownership shall be structured in such a manner that real property taxing authorities can satisfy property tax claims against the open space lands by proceeding against individual owners in the HOA and the dwelling units they each own.

[8] The Town's Attorney shall find that the HOA documents presented satisfy the conditions in Subsection **D(3)(b)[1]** through **[7]** above and such other conditions as the Planning Board shall deem necessary.

**E. Conservation subdivision procedures.** In addition to all other requirements applicable to conventional two-stage subdivision review, the following shall apply to conservation subdivisions:

**(1) Sketch plan.** Applicants are encouraged to request a sketch plan discussion with the Planning Board prior to submission of a preliminary application.

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(a) In addition to requirements specified in Town Code § **174-9**, a sketch plan for conservation subdivision shall show the approximate area of the project considered to be constrained lands (wetlands, floodplains, steep slopes, etc.) and the area to be classified as developable lands.

**(2) Preliminary subdivision review.** In addition to information required pursuant to Town Code § **174-13**, the preliminary subdivision application for a conservation subdivision shall contain the following:

(a) A density calculation, as described in Subsection **C(2)** above.

(b) A conservation analysis as described in Subsection **C(3)** above, including a proposed conservation analysis map.

(c) A schematic ("bubble") diagram showing which areas on the parcel would be developed and where land would be protected as permanent open space by a conservation easement.

**(3) Final subdivision review.** In addition to information required pursuant to Town Code § **174-14**, the final subdivision application for a conservation subdivision shall contain the following:

(a) All the materials required for approval as provided herein, unless waived by the Planning Board.

(b) Proposed conservation easement(s) for the protection of permanent open space land.

(c) A final land management plan for the permanent open space areas, to be incorporated into the conservation easement and made enforceable by the Town.

(d) Other submission requirements as specified by the Planning Board.

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## **§96-5 – CANANDAIGUA LAKE UNIFORM DOCKING AND MOORING MEAN LOW AND HIGH WATER LEVEL**

The approximate average low water level or high water level for a given body of water at a given elevation, determined by reference from survey datum provided by the United States Geological Service (USGS). According to the New York

State Office of General Services, the mean low water level for Canandaigua Lake is 686.60 feet above mean sea level ([National Geodetic Vertical Datum of 1929](#)). According to the New York State Department of Environmental Conservation, Division of Environmental Permits, the mean high water level is 689.40 feet above mean sea level ([National Geodetic Vertical Datum of 1929](#)). These heights are measured above mean sea level.

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#### **§ 79-20 Prohibition of Hunting on Town Property**

A. Prohibition. There shall be no hunting on any property owned or operated by the Town of Canandaigua.

B. Enforcement Officers. In addition to any law enforcement officer of the State of New York or County of Ontario, the Town's Code Enforcement Officers shall have authority to enforce the provisions of this Section.

C. Penalties for Offenses. In addition to any penalties provided in New York State Law, any person or persons found in violation of this Section shall be subject to a fine of up to \$1,000.00.

§ 152-6. Park use regulations.

The following regulations are hereby established to govern the use of park facilities and buildings:

A. Park hours, except for unusual and unforeseen emergencies, and activities at Onanda Park not regulated by the State Environmental Conservation Law and special events or programming, shall be established by the Town Parks and Recreation Committee, subject to approval by the Town Board;

B. Park hours of operation at Onanda Park, the West Lake Road Schoolhouse Park, Leonard R. Pierce Park, Outhouse Park and Firehall Park shall be from sunrise to sunset, unless otherwise designated by the Town Board;

[Amended 6-17-2008 by L.L. No. 2-2008]

C. The consumption of alcoholic beverages, including beer and wine and the bringing of such items into a park is not allowed;

D. No pets or domestic animals may be allowed at any Town owned or operated park, with the only exception being the upland portion of Onanda Park and Firehouse Park where said pet or domestic animal shall be:

(1) Under the full control by the owner, including the owner being responsible for the picking up of the pets or domestic animal's fecal matter; and

(2) Restrained by means of a secure leash or lead in the manner set forth in Chapter 79 of the Town Code; or

(3) Confined to an enclosure, such as a cage or motor vehicle, in such manner that the pet or domestic animal may not roam freely upon public or private lands.

E. Fires are permitted in designated grills only which have been provided by the park;

F. No firearms or weapons of any variety including air rifles, slingshots, splat balls or similar weapons are permitted in any Town Park;

G. There is no hunting allowed on any Town Parkland, [or on any other land owned or operated by the Town](#);

H. Legal fish cleaning/scaling knives may be used on park property only while fishing;

I. Smoking is not permitted in any building, including rental cabins. Smoking is permitted in outdoor areas;

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J. Excessive noise is prohibited. This includes yelling, musical instruments, radios, televisions and other electronic devices;

K. Campers, trailers and RV units are not permitted in any Town park;

L. Tents may be used upon permission of the Director of Parks and Recreation on the upland portion of Onanda Park;

M. Parking at any park is permitted only in designated areas;

N. Boat launching, at Onanda Park, is only permitted between November 15 and April 15, in accordance with the Winter Boat Launch Operating Procedures adopted by the Town Board and approved by the Regional Director of the New York State Department of Environmental Conservation, and as said agreement may be amended from time to time. Copies of this agreement are on file in the Office of the Town Clerk and the Onanda Park Office;

O. Launching of nonmotorized vehicle top canoes, kayaks and recreational sculling vessels at Onanda Park, is permitted except when conditions on the lake prohibit the Ontario County Sheriff's boat from launching;

[Amended 7-7-2009 by L.L. No. 1-2009]

P. Launching of motorized fishing boats at Onanda Park is permitted only from November 15 of any given year to April 15 of the next year and when access to the lake

from the New York State Boat Launch located at the north end of the lake is unavailable;

[Amended 7-7-2009 by L.L. No. 1-2009]

Q. Launching of all motorized fishing boats at Onanda Park shall only be from the boat ramp into the waters of Canandaigua Lake;

[Amended 7-7-2009 by L.L. No. 1-2009]

R. Launching of nonmotorized, vehicle-top canoes, kayaks or recreational sculling vessels shall be permitted only from within the designated portion of the shoreline at Onanda Park located between the boat ramp and the fishing dock;

[Amended 7-7-2009 by L.L. No. 1-2009]

S. No motorized boats, nonmotorized, vehicle-top canoes, kayaks or recreational sculling vessels shall be allowed within the delineated swimming area, nor will they be allowed to interfere with the line of sight between the lifeguard chairs and people swimming in the designated swim area at Onanda Park;

[Amended 7-7-2009 by L.L. No. 1-2009]

T. Launching and loading at Onanda Park will be limited to park patrons during the posted park hours of operation, sunrise to sunset year round;

[Amended 7-7-2009 by L.L. No. 1-2009]

U. No organized, multiboat event(s) for kayaking, canoeing or recreational sculling vessels will be allowed without permission from the Town Board;

[Amended 7-7-2009 by L.L. No. 1-2009; 12-5-2011 by L.L. No. 11-2011]

V. Unloading, loading and/or the launching of nonmotorized, vehicle-top canoes, kayaks and recreational sculling vessels shall only be permitted through the Onanda Park gatehouse entrance at West Lake Road (County Road 16);

[Amended 7-7-2009 by L.L. No. 1-2009]

W. All equipment for boats, nonmotorized, vehicle-top canoes, kayaks and recreational sculling vessels shall be stored either on top of or inside of vehicles when not in use. All nonmotorized, vehicle-top canoes, kayaks, or recreational sculling vessels are to be

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hand carried or transported by a small carrier device. In no event shall small carrier devices be allowed to be stored on the lakeside portion of Onanda Park while the nonmotorized, vehicle-top canoe, kayak or recreational sculling vessel is being used;

[Amended 7-7-2009 by L.L. No. 1-2009]

X. Nonmotorized, vehicle-top canoes, kayaks and recreational sculling vessels and associated equipment used in conjunction with cabin rentals shall be stored beside the cabin, away from the cabin entrance and behind the front of the cabin when not in use;

[Amended 7-7-2009 by L.L. No. 1-2009]

Y. The fee for launching nonmotorized, vehicle-top canoes, kayaks and recreational sculling vessels shall be included in the daily entrance fee or in the fee of a season pass. Persons renting cabins will be permitted to bring up to two nonmotorized, vehicle-top canoes or kayaks or recreational sculling vessels to the park for their use during their stay at Onanda Park without having to pay a daily launch fee;

[Amended 7-7-2009 by L.L. No. 1-2009]

Z. Persons not renting cabins at Onanda Park shall not leave their nonmotorized, vehicle-top canoe, kayak, or recreational sculling vessel overnight at Onanda Park;

[Amended 7-7-2009 by L.L. No. 1-2009]

AA. No vehicle will be permitted to trailer nonmotorized, vehicle-top canoes, kayaks, or recreational sculling vessels into Onanda Park;

[Amended 7-7-2009 by L.L. No. 1-2009]

BB. Consistent with New York State boating regulations, no minor child shall be allowed to use a nonmotorized, vehicle-top canoe, kayak, or recreational sculling vessel unless accompanied at all times by an adult;

[Amended 7-7-2009 by L.L. No. 1-2009]

CC. Docking of boats, nonmotorized, vehicle-top canoes, kayaks, or recreational sculling vessels at Onanda Park and the West Lake Road Schoolhouse Park is not permitted at any time, except in an emergency situation;

[Amended 7-7-2009 by L.L. No. 1-2009]

DD. Mooring of boats at Onanda Park and the West Lake Road Schoolhouse Park is not permitted within 100 feet of the shoreline;

[Added 7-7-2009 by L.L. No. 1-2009]

EE. No fireworks are permitted on Town park property;

[Added 7-7-2009 by L.L. No. 1-2009]

FF. Children 10 years of age or younger must be accompanied at all times by an adult at any Town park;

[Added 7-7-2009 by L.L. No. 1-2009]

GG. Entry into the lake is permitted only within the designated swimming areas at

Onanda Park and West Lake Road Schoolhouse Park and only when a lifeguard is on duty;

[Added 7-7-2009 by L.L. No. 1-2009]

HH. No entry is permitted into Onanda Park or West Lake Road Schoolhouse Park from the waters of Canandaigua Lake;

[Added 7-7-2009 by L.L. No. 1-2009]

II. The lifeguard has the authority to create and enforce rules regarding the swimming area for the benefit and safety of all swimmers;

[Added 7-7-2009 by L.L. No. 1-2009]

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JJ. Licensed fishermen may shoreline and/or stream fish at Onanda Park year-round except in the designated swim areas;

[Added 7-7-2009 by L.L. No. 1-2009]

KK. No shoreline fishing shall be allowed at the West Lake Road Schoolhouse Park;

[Added 7-7-2009 by L.L. No. 1-2009]

LL. No peddling, selling or hawking is allowed without prior authorization by the Town Board;

[Added 7-7-2009 by L.L. No. 1-2009]

MM. Pavilions and ball fields must be reserved in advance by contacting the Town Park Reservationist a minimum of seven days in advance of intended use. A fee to insure exclusive use for these facilities may be charged in accordance with the established parks and recreation fees;

[Added 7-7-2009 by L.L. No. 1-2009]

NN. The Director of Parks and Recreation shall authorize the use of the park for groups of 20 or more when it is found that:

[Added 7-7-2009 by L.L. No. 1-2009]

(1) The proposed activity or use of the park will not unreasonably interfere with or detract from the enjoyment of the park by the general public;

(2) The proposed activity or use of the park will not unreasonably interfere with or detract from promotion of the public health, welfare, safety and recreation;

(3) The proposed activity or use is not reasonably anticipated to incite violence, crime, or disorderly conduct;

(4) The proposed activity will not entail unusual, extraordinary, or burdensome expense upon the Town, or upon police operations;

(5) The requested facilities have not been reserved for another use on the day and at the hour requested; and

(6) The Director of Parks and Recreation shall refuse any activities that do not comply with this chapter.

OO. Liability insurance, in an amount determined by the Town Board, may be required for groups using the park facilities, buildings and grounds; and

[Added 7-7-2009 by L.L. No. 1-2009]

PP. The Town Board may amend these rules and regulations, from time to time, by formally amending the provisions of this chapter.

[Added 7-7-2009 by L.L. No. 1-2009]

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## **§ 220-20. MR Multiple-Residence District.**

**A. Purpose.** The purpose of the MR Multiple-Residence District is to permit, where appropriate, the construction and development of multiple-family residences in the Town. At the same time, the Town does not desire the large-scale development of these units to the extent that large areas of the Town would be devoted to such use and single-family residences would be incompatible. Accordingly, additional areas may be zoned as a MR District upon application for a specific proposal in accordance with the normal rezoning procedures. In reaching its decision, the Town Board shall consider the general criteria set forth in this chapter, the adopted Comprehensive Plan for the Town, and this statement of purpose. Areas proposed to be zoned MR shall be served by sanitary sewers and public water.

**B. Permitted principal uses.** The following uses are permitted in the MR District:

(1) Townhouses [units](#), in accordance with standards set forth in Subsection **D(1)**.

(2) Apartment [Buildingshouses, multifamily dwellings and dwelling groups, condominiums and cooperatives](#) in accordance with standards set forth in Subsection **D(2)**.

(3) Two-family dwelling unit structures.

**C. Permitted accessory uses.**

(1) Normal accessory uses designed as an integral part of the multifamily development and scaled for the exclusive use of the development

(2) Private recreational facilities and areas.

(3)Swimming pool(s).

(4)Minor home occupations, as defined in Chapter 1, Article II.

(5)Signs in compliance with § 220-84 of this chapter.

**D. Dimensional requirements and design standards.** The dimensional requirements for this district are specified in Schedule I

*Editor's Note: Schedule I is included at the end of this chapter.*

of this chapter. In addition to the dimensional requirements set forth in Schedule I, the following site design standards shall be applicable to all townhouse dwelling unit and multiple-family dwelling unit developments:

**(1)Townhouse Development dwelling unit site design standards.**

(a)The minimum area lot size for a townhouse development shall not be less than three acres.

(b)Density. Overall site density shall not exceed **five eight** dwelling units per gross acre, and not more than eight dwelling units shall be allowed on any one acre of land.

(c)Individual dwelling unit lot criteria.

[1]The minimum lot area for each townhouse dwelling unit shall be 3,500 square feet.

[2]The minimum front setback shall be 25 feet.

[3]The minimum lot width at the front building line shall be 25 feet for a two-story townhouse unit.

[4]The minimum lot width at the front building line shall be 35 feet for a single-story townhouse unit.

[5]The minimum rear setback shall be 25 feet.

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[6]The maximum lot coverage shall be 65%.

[7]The minimum lot depth shall be 140 feet.

[8]There shall be no accessory structures allowed.

[9]There shall be no common off-street parking areas allowed.

[10]Each townhouse dwelling unit shall have a minimum of one one-car garage.

[11]Where garages are accessed from the rear portion of the structure, the front building line shall continue to be the portion facing the street. In these instances, the minimum front setback shall be 10 feet.

**[12]Where townhouse dwelling units do not have basements, then the minimum size for a one-car garage shall be 400 square feet. For a two-car garage, the minimum size shall be 600 square feet.**

**[123]**There shall be adequately sized common storage areas provided as part of each townhouse development site for the storage of boats, trailers, recreational vehicles and other personal vehicles. Each storage area shall be blacktopped, buffered by landscaping and maintained. No unregistered vehicle shall be allowed to remain in a common storage area. The minimum size for each common storage area shall be determined by the Planning Board as part of site plan approval. In the event a common storage area is not found to be adequately sized, either the landowner or the homeowners' association shall be responsible for providing additional area to meet need. This storage area shall not be used for off-street parking of vehicles.

**[13] There shall be an adequately sized bulk storage area provided for each Townhouse Unit. The minimum size for such bulk storage area shall be determined by the Planning Board as part of site plan approval. In the event a bulk storage area is not found to be adequately sized, the landowner or homeowners association shall be responsible for providing additional area to meet need.**

(d) Minimum habitable floor area per dwelling unit shall be:

[1] Townhouse unit, three bedrooms: 1,000 square feet.

[2] Townhouse unit, two bedrooms: 850 square feet.

(e) No exterior wall shall exceed 50 feet in length unless there is a lateral offset of at least four feet in its alignment not less frequently than along each 50 feet of length of such exterior wall.

(f) Each **Townhouse Buildingtownhouse dwelling unit grouping** shall contain not more than eight dwelling units.

(g)Parking requirements. Requirements for off-street parking as provided in Article **VIII** of this chapter shall be met, except that the location of off-street parking lots may be modified to conform with the approved site plan, provided that such lots shall not be located within the front yard or the required side yard

setback. Paved pedestrian walkways, with appropriate lighting, shall be provided from off-street parking areas to all [dwellingliving](#) units each parking area is intended to serve. In addition to the standards required in Article VIII, the following standards shall be met:

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[1]A minimum of two paved parking spaces shall be provided for each dwelling unit, one of which shall be completely enclosed and covered.

[2]Appropriate screening shall be provided as to prevent glare from headlights.

(h)Each townhouse [developmentsite](#) shall have adequate pedestrianseparated facilities (sidewalks) connecting all townhouse dwelling units in the development.

(i) Each townhouse dwelling unit lot shall have a minimum of two trees to be planted prior to the issuance of a certificate of occupancy, or due to seasonal conditions, said trees are to be planted within six months of the issuance of a temporary certificate of occupancy.

(j) Each on-site stormwater facility shall be adequately landscaped.

(k)Each townhouse [developmentdwelling group](#) shall either have mailboxes attached to the front of each structure, or a common mailbox area with adequate pull-off for both postal delivery vehicles and private vehicles. There shall otherwise be no mailboxes allowed along the side of a street.

(l) Each townhouse development shall contain streetlighting spaced at each intersection, at any cul-de-sac or dead-end street and any common parking area. Streetlighting shall be dark sky compliant as further regulated in § 220-77 of the Town Code.

(m)Each townhouse development street name shall be in compliance with the Ontario County 911 Street Naming Regulations.

(n) Where a townhouse development does not have public streets serving the townhouse dwelling units, then provisions shall be made with the local school district for the use of an acceptable off-street area to be used for the loading and unloading of school children. Each such area shall have a well-designed allweather structure for use by students awaiting pickup or dropoff. Each such area shall be adequately illuminated in accordance with Town lighting standards.

**(2) Apartments and [Condominium multiple-family dwelling units](#) site design standards.**

(a) The minimum lot size for apartments [building developments and multiple-family dwelling developments](#) shall not be less than three acres.

(b) Density. Density shall not exceed eight dwelling units per gross acre.

(c) Floor areas. Minimum floor areas, exclusive of common areas such as halls, foyers and basement utility areas, shall be as follows:

[1] Apartment unit, efficiency: 450 square feet.

[2] Apartment unit, one-bedroom: 550 square feet.

[3] Apartment unit, two-bedroom: 700 square feet.

[4] Apartment unit, three-bedroom: 800 square feet.

[5] Apartment unit, four-bedroom: 900 square feet.

(d) Open space. There shall be at least 400 square feet of common open space exclusive of the required setback areas, buffer strips and parking areas which shall be designated for recreation, active and/or passive, for each [apartment buildingmultiple-family dwelling unit](#).

(e) Unit distribution.

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[1] No more than 30% of the total units within an [apartment building multiple-family dwelling](#) development shall be efficiency units

[2] No more than 40% of the total units within an [apartment building multiple-family dwelling](#) development shall be three or more bedroom units.

(f) [Apartment Building Development Design Standards](#).Unit design standards. Each [multiple-family dwelling unit apartment building development within a multiple-family development](#) site shall be regulated as follows:

[1] Minimum distance between buildings shall be 50 feet.

[2] Direct line of sight visibility, from front to rear, from one building to another shall not be less than 100 feet.

[3] Every building shall have a minimum setback of 25 feet from all interior roads, driveways and parking areas.

[4] A strip of land around each [multiple-family apartment](#) building, at



least six feet in width, shall be kept completely open except for foundation plantings of less than six feet in height.

[5] Courtyards bounded on three sides by the wings of a single building, or by the walls of separate buildings, shall have a minimum court width of two feet for each one foot in height of the tallest adjacent building.

[6] No exterior wall shall exceed 100 feet in length unless there is a lateral offset of at least eight feet in its alignment not less frequently than along each 100 feet of length of such exterior wall.

[7] All stairways to the second floor or higher shall be located inside the building.

(g) Access to public roads.

[1] All apartment [building developments](#) and/or [multiple-family dwelling developments](#) shall have direct access to a public road.

[2] Where there are 12 or more dwelling units in an [apartment building](#) development, access from the common parking area(s) to the public road must be provided by either a private driveway or a road dedicated to the Town by the developer.

[3] Where there are 50 or more dwelling units in an [apartment building](#) development, the Town Planning Board may require an additional access, to that required above, to a public road as a condition of site plan approval.

[4] In no event shall the Town Planning Board allow more than [one](#) 150 units to be served by one access to a public road.

(h) Services.

[1] Each dwelling unit shall contain complete kitchen facilities, toilet, bathing and sleeping facilities.

[2] There shall be a minimum common storage area in each building for bicycles, [perambulators](#) and similar types of equipment of 40 square feet in area, a minimum of five feet in height and not less than four feet in width per each dwelling unit.

[3] Within each building there shall be sufficient laundry, drying and other utility areas.

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[4] Garbage storage areas shall be provided for each building. Such facilities shall be located with a view both to convenience and to minimizing the detrimental effect on the aesthetic character of the building(s) and shall be enclosed and shielded from view by fencing, walls or shrubbery of at least six feet in height around the perimeter. Fencing and walls shall be not more than 50% open on the vertical surface.

[5] [There shall be an adequately sized bulk storage area provided for each apartment building. The minimum size for such bulk storage area shall be determined by the Planning Board as part of site plan approval. In the event a bulk storage area is not found to be adequately sized, the landowner shall be responsible for providing additional area to meet need.](#)

(i) Utilities.

[1] All public utilities, electric, gas, cable television and telephone lines shall be installed underground.

[2] An adequate supply of public water shall be provided to all dwelling units.

[3] All dwelling units shall be connected to public sewers.

**E. Special permitted uses.** The following uses may be permitted consistent with the provisions of Article VI, provided that a special use permit is issued by the Town Planning Board:

(1) Essential services, public utilities substations and uses, excluding power plants or repair yards and warehouses or uses similar in nature.

(2) Public uses.

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### **§ 174-32. Sureties.**

A. Provisions of this section are administered as provided for in New York State Town Law § 277, as amended.

B. In compliance with New York State Town Law Article 16, § 277, Part 9, as may be amended, surety may be required by the Planning Board as a condition of site plan or subdivision approval in order to assure proper installation of proposed improvements, including but not limited to utilities, drainage facilities and roads.

C. Sureties shall be in amounts as approved by the Town Engineer [or the Town Code Enforcement Officer](#) and shall include costs, including:



- (1) Estimated construction cost of all required improvements;
  - (2) A minimum contingency factor of 10%;
  - (3) A minimum of 6% for engineering and construction observation charges based on the project complexity and construction schedule;
  - (4) Installation of street signs and surveyor's monuments;
  - (5) Mapping; and
  - (6) Development of record drawings of installed facilities.
- D. The form of the sureties shall comply with New York State Town Law and shall be approved by the Town Board Attorney.
- E. After approval by the Town Engineer and Town Board Attorney, a complete description of the surety will then be provided to the Town Board who shall either accept or reject the surety.
- F. Accepted sureties will be filed with the Town prior to the issuance of building permits.
- G. Inspection. All improvements covered under a performance surety must be inspected during construction. Costs of the required inspections shall be estimated by the Town Engineer and will be borne by the developer and shall be included in the initial value of the surety.
- (1) The inspection procedure is designed to determine compliance with the approved plans.
  - (2) For inspection purposes, the contractor will notify the Town when construction will be undertaken on proposed improvements. Reasonable notice is required.
  - (3) Inspections are the responsibility of the Town Engineer, Highway and Water Superintendent, Town of Farmington Water and Sewer Superintendent and/or Town of Canandaigua Code Enforcement Officer, and other agencies as required and appropriate.
- H. Surety default and retention.
- (1) If the required improvements are not completely installed within the period as may be fixed or extended by the Planning Board, the Town Board may declare the surety in default and collect the amount payable thereunder. Upon receipt of such amount, the Town shall cause to install such improvements as were covered by the surety and as commensurate with the extent of building development that has taken place in the subdivision, not exceeding in cost, however, the amount collected from the surety.
  - (2) If within one year's time from the certificate of occupancy, remedial or landscaping work is incomplete, the Town shall complete said work and deduct costs from the posted sureties.

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- (3) The soil and erosion sureties will be retained until all disturbed pervious areas are 80% covered with vegetative controls (grass), at which point the escrow shall be released to the applicant.
- I. Release of sureties. Upon completion of required improvements, the applicant may request full or partial release of sureties filed with the Town.
- (1) The process for a release of surety will be initiated when a written request for partial or total release is submitted to the Town Development Office for approval.
  - (2) The request will then be reviewed by appropriate Town Staff [orand](#) the Town Engineer and compared with the inspection record.
  - (3) Development Office staff will then forward a recommendation regarding the request to the Planning Board for their formal consideration.
  - (4) Recommendations by the Planning Board for full or partial release of funds shall be forwarded to the Town's Fiscal Officer, who shall release the specified funds.
  - (5) Approval by the Town for authorized periodic payments is not to be construed as acceptance of the work completed to date.
  - (6) Retainage shall be released only after a maintenance bond has been accepted by the Town and subject improvements have been tested and found acceptable by the Town's representatives.

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## **§ 220-21. RLD Residential Lake District.**

**A. Purpose.** The purpose of the RLD Residential Lake District is to allow limited residential uses that protect the quality of Canandaigua Lake and the surrounding natural topography, including the shoreline, ridgelines, and scenic vistas of this unique and environmentally sensitive area.

### **B. Permitted principal uses.**

- (1) One single-family dwelling per lot.
- (2) Public parks.
- (3) Public safety facilities.

### **C. Permitted accessory uses.**

(1)One detached private garage no taller than 16 feet and one attached private garage may be permitted.

[Amended 5-20-2013 by L.L. No. 7-2013]

(2)One accessory building/structure, not to exceed 100 square feet in total area and 10 feet in height above average finished grade may also be permitted. Except as provided in Subsection **C(2)(c)** and **(d)** below, setback requirements for accessory buildings/structures are specified in Attachment 1, Zoning Schedule.

*Editor's Note: Schedule I is included at the end of this chapter.*

(a)If the principal building on a lakefront is located on the lake side portion of the lot, then the accessory building/structure may be permitted in the side yard of the principal building.

(b)If a lakefront lot is divided by a street and the principal building is located on the lake side portion of the lot, then the accessory building/structure may be permitted on the portion of the lot opposite the lake side. In this instance, the front setback shall not be less than 60 feet, the rear setback shall not be less than 10 feet, and the minimum side yard setback shall be 10 feet.

(c)If a lakefront lot is divided by a street and the principal building is not located on the lake side portion, then the accessory building/structure may be located in the rear yard of the principal building.

(d)If a lakefront lot is divided by a street and the principal building is not located on the lake side portion, then the accessory building/structure may be located on the lakeside portion and may contain a rest room, but only with public water and sewer service. In this instance, the front setback shall not be less than 10 feet, the rear setback shall not be less than 25 feet and the minimum side yard setback shall be 10 feet.

(e)There shall be no additions to an accessory building/structure such as, but not limited to, decks, porches and cantilevers.

(3)Seasonal storage, commencing no earlier than October 31 of any year and continuing no later than May 31 of the following year, of docks, hoists and buoys permitted to be used on the premises by the provisions of Chapter **96**, Canandaigua Lake Uniform Docking and Mooring.

(4)Hot tubs.

(a)Definitions. As used in this section, the term "hot tub" shall have the meaning set forth in Chapter **1**, Article **II**.

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(b)Installation. No hot tub shall be installed unless a building permit shall have been issued in accordance with the New York State Uniform Fire Prevention and Building Code

*Editor's Note: See Executive Law § 370 et seq.*

and the provisions of the Town Code, general requirements. With the exception of Subsection **C(5)(a)** and **(b)**, every hot tub shall conform to the provisions set forth for swimming pools in this chapter.

(c)No permit shall be issued for such hot tub unless it is shown that the proposed drainage for such hot tub shall not drain directly to neighboring properties or Canandaigua Lake.

(5)One in-ground swimming pool is allowed for each lot. In addition, each inground swimming pool in the RLD:

(a)Shall be located only within the side yard of a lot or the rear yard of the lot if not adjoining Canandaigua Lake.

(b)Shall not be located in the front yard of a lot or in the rear yard of a lot where said rear yard adjoins Canandaigua Lake.

(c)Shall be included as part of lot coverage as measured by the water surface and all adjoining impervious surfaces.

(d)Shall meet the setback requirements for an accessory building/structure within the RLD.

**D. Dimensional requirements.** The dimensional requirements for this district are specified in Schedule I, which is made a part of this chapter. **However, pre-existing nonconforming lots that are less than 20,000 square feet shall be subject to the following setback requirements:**

**(1) Lots less than 10,000 square feet**

**a. Principal Structures**

**i. Front setback shall be\_\_ 50 ft\_\_**

**ii. Rear setback shall be\_\_ 30 ft\_\_**

**iii. Side setbacks shall be\_\_ 5 ft\_\_**

**b. Accessory Structures**

**i. Front setback shall be\_\_ \_\_**

- ii.i. Rear setback shall be 15 ft
- ii. Side setbacks shall be 5 ft
- c. Maximum Building Coverage on lot 25%
- d. Maximum Lot Coverage 40%
- iii.i.  
(2) Lots more than 10,000 square feet but less than 20,000 square feet
- a. Principal Structures
- i. Front setback shall be 55 ft
- ii. Rear setback shall be 30 ft
- iii. Side setbacks shall be 9 ft
- b. Accessory Structures
- i. Front setback shall be
- ii.i. Rear setback shall be 15 ft
- ii. Side setbacks shall be 9 ft
- c. Maximum Building Coverage on lot 20%

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- d. Maximum Lot Coverage 30%
- e. Rear setbacks shall be measured from the High Water Mark.
- iii.e.

#### **E. Special permit uses.**

- (1) Essential services, public utility facilities or communications installations.
- (2) Tourist home.

#### **F. Special provisions subject to all development within the RLD Residential Lake District.**

- (1) No accessory buildings or tennis courts shall be constructed within rear yards adjoining Canandaigua Lake.
- (2) Erosion/sedimentation control measures shall be used before, during and after construction until ground cover is reestablished as specified in Chapter **165** of the Town of Canandaigua Code, Soil Erosion and Sedimentation Control.
- (3) All boat docking, mooring and other related improvements in or on the waters of Canandaigua Lake are governed by Chapter **96** of Town Code.

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### **§ 1-17 Definitions**

#### **APARTMENT**

A dwelling unit that is intended to be leased or rented. This shall not be deemed to include a motel, hotel, boarding house or travel trailer.

[Amended 6-28-2010 by L.L. No. 3-2010]

#### **APARTMENT BUILDING**

A building arranged, intended or designed to provide three or more [apartments or condominiums, dwelling units](#) independent of each other, but having common hallways and entrances.

#### **APARTMENT BUILDING DEVELOPMENT**

An Apartment Building or group of Apartment Buildings.

#### **ATTACHED DWELLINGS**

Buildings containing only one or two dwelling units, and with three or more buildings attached to each other by a party wall or walls without openings. The term "attached dwelling" is intended to apply to row houses, townhouses, condominiums, cluster housing, and other forms where three or more buildings are so attached to each other.

#### **DWELLING, MULTIPLE (MULTI) FAMILY**

A building or portion thereof containing three or more dwelling units and designed or used for occupancy by three or more families living independently of each other.

#### **TOWNHOUSE CLUSTERS**

A building, or group of buildings, with each building containing not more than eight townhouse dwelling units.

[Amended 7-25-2005 by L.L. No. 7-2005]

#### **TOWNHOUSE BUILDING**

A building containing three or more Townhouses.

#### **TOWNHOUSE DEVELOPMENTS**

A Townhouse Building or group of Townhouse Buildings. A tract of land adequately sized to accommodate the construction of townhouse dwelling units in accordance with the density standards contained elsewhere in these regulations.

## **BUILDING COVERAGE, PERCENT OF**

The area of all building footprints on a lot divided by the lot area. This includes all principal and accessory buildings, covered breezeways, covered porches, covered cantilevered structures, and decks.

[Amended 7-25-2005 by L.L. No. 7-2005; 4-8-2013 by L.L. No. 2-2013]

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## **LOT COVERAGE**

The area of all structures on a lot divided by the lot area.

### **STRUCTURE**

Anything constructed or erected which requires temporary or permanent support, placement or attachment to the ground, beneath the ground or to something having permanent location on the ground, including, but not limited to, gasoline and oil tanks, buildings, sheds, pools, decks, docks, manufactured homes, fences [excluding seasonal snow fence as further regulated in Chapter **220**, § **220-9K(9)** of the Town Code], signs, billboards, towers, antennas, and satellite TV dishes, patios, sidewalks, driveways, and impervious or substantially impervious surfaces. The term does not include patios, sidewalks, or vegetative landscaping.

[Amended 7-25-2005 by L.L. No. 7-2005; 2-8-2007 by L.L. No. 1-2007; 4-8-2013 by L.L. No. 2-2013]

### **ACCESSORY STRUCTURE**

A detached structure, but not including buildings, subordinate and incidental to the principal building or structure on the same lot, that contributes to the comfort, convenience, or necessity of the occupants of the principal building or structure and that is used for a purpose incidental to the use of the principal building or structure. Accessory structures include but are not limited to swimming pools, tennis courts, basketball courts, paddleball courts, patios, decks, generators, and fences.

[Added 4-8-2013 by L.L. No. 2-2013]

### **WADING POOL**

A temporary pool intended for use by children with a maximum water depth of 2418 inches.

[Amended 7-25-2005 by L.L. No. 7-2005]

### **VEHICLE STORAGE**

The parking of a licensed vehicle for a period in excess of nine consecutive days, unless otherwise restricted. The parking of an unlicensed vehicle for any period of time, except as exempted herein. The incidental movement of a vehicle on or off the property shall not affect the calculation of the nine-day time period.

[Added 7-25-2005 by L.L. No. 8-2005]

## **NATURAL RESOURCES INVENTORY**

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Natural Resources Inventory shall mean the document adopted by resolution of the Canandaigua Town Board on December 19, 2011 entitled "Town of Canandaigua Natural Resources Inventory (NRI)" together with the maps attached thereto. Said report and maps have an effective date of March 1, 2012. Copies of the NRI report and maps are available at the Town Clerk's Office.

### **TEMPORARY USE**

A use which takes place for a set period of time that does not exceed 12 months is transitory in nature and does not involve construction or alteration of any permanent structure.

[Amended 12-5-2011 by L.L. No. 11-2011]

### **STORAGE, BULK**

A dedicated area for the storage of large items such as bicycles, baby carriages, patio furniture, and other recreational equipment that shall be a minimum of 30 square feet

### **WATER MARKS, MEAN LOW AND HIGH**

See Chapter 9644 for definition of this term.

[Added 7-25-2005 by L.L. No. 7-2005]

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**SCHEDULE I  
ZONING SCHEDULE  
TOWN OF CANANDAIGUA, NEW YORK**

Maximum

Minimum Maximum Building

Lot Size Minimum Minimum Setback Requirements Principal Use Coverage

Permitted Uses Area Lot Width Principal Building Accessory Bldg. Building On Lot

Zone District \*Special Permitted Uses Only SF/Acre (FT) Front Rear Side Rear Side Ht. (FT) (%)

**RLD – Residential**

**Lake** Single family dwelling 20,000 S.F. 125 60 60 12 15 10 25 15

Bldg % Lot %

**\*\* Less than 10,000 sq ft 125 50' 30' 5' 15' 5' 25' 25% 40%**

**\*\* Btw. 10,000 sq ft to 20,000 sq ft 125 55' 30' 9' 15' 9' 25' 20% 30%**

**\*\* More than 20,000 sq ft 125 60' 60' 12' 15' 12' 25' 15% 25%**

Public Facilities, Parks & Recreation 1 AC 200 60 40 35 15 10 25 20

\*Essential Services, public utility 1 AC 200 60 40 35 15 15 25 20

or communications installations

\* Semi-Public Buildings and 1 AC 200 60 40 35 15 15 25 20

Grounds

\* Tourist Home 20,000 S.F. 125 60 60 12 15 10 25 15

December 2014

**DRAFT**

## **Attachment 2 – Letter of Credit Villas**





**Attachment #4 – MRB Proposal for Programming and Concept Design Services  
Town Campus Study**

**Attachment #5 – Supervisor’s Monthly Financial Report**  
**January 2015 Financial Report & Revenue and Expense Statement**  
**January 2015 Cash Statement / Bank Reconciliation**  
**January 2015 Overtime Report**





**Attachment #6 – Financial Summary for 2014**  
**EFPR Solutions Executive Summary**  
**Cash Statement / Bank Reconciliation**

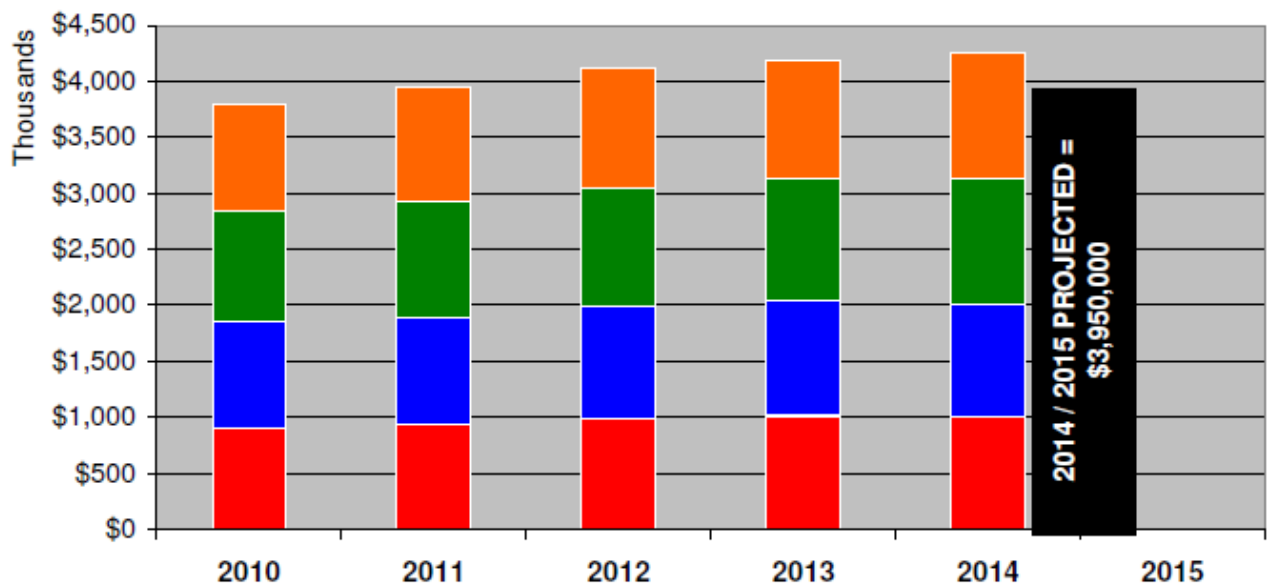




TOWN OF CANANDAIGUA																		
CASH SUMMARY																		
Wednesday, December 31, 2014																		
FUND #	No.	FUND	12/31/14 BALANCES	PETTY CASH	CNB #4328 DISB. ACCT.	CNB #4476 INVEST ACCT.	CNB #4379 GENERAL FUND	CNB #4670 PARKS FUND	CNB #4522 HWY FUND	CNB #4573 WATER FUND	CNB # 4727 CAPITAL FUND	CNB #0130 PURDY ROAD	CNB #4425 TRUST & AGENCY	CNB # 4620 DEBT SERVICE				
A	200	CASH - CHECKING	15,680.83		15,680.83													
A	201	CASH	1,590,484.69				1,590,484.69											
A	202	CASH - INVESTMENTS	-															
A	210	PETTY CASH	250.00	250.00														
A	230	CASH - C/T RESERVE - INVESTMENT	-															
A	231	CASH - CONTINGENT/TAX RESERVE	735,000.00			735,000.00												
A	232	CASH - REPAIR RESERVE - INVESTMENT	155,000.00			155,000.00												
A	233	CASH - TECHNOLOGY RESERVE - INVESTMENT	75,000.00			75,000.00												
A	234	CASH - OPEN SPACE RESERVE - INVESTMENT	600,000.00			600,000.00												
A	235	CASH - NYS EMPLOYEE SYST RES. - INVESTMENT	300,000.00			300,000.00												
CM	201	CASH	447,167.09					447,167.09										
D	200	CASH - CHECKING	-		-													
D	201	CASH	125,251.60						125,251.60									
D	202	CASH - INVESTMENTS	98,529.43			98,529.43												
D	230	CASH - HIGHWAY EQUIP. RESERVE - INVESTMENTS	375,000.00			375,000.00												
D	231	CASH - HIGHWAY EQUIP. RESERVE	-			-												
D	232	CASH - HIGHWAY IMP. RES. - INVESTMENTS	775,000.00			775,000.00												
D	233	CASH - HIGHWAY IMP. RES.	-			-												
D	235	CASH - SNOW/ICE RM/RD REPAIR RESERVE	200,000.00			200,000.00												
F	200	CASH - CHECKING	-		-													
F	201	CASH	57,834.13							57,834.13								
F	202	CASH - INVESTMENTS	948,309.58			948,309.58												
H	200	CASH - CHECKING	-		-													
H	201.11	CASH - MCINTYRE WATER DISTRICT	3,515.00								3,515.00							
H	201.12	CASH - BRISTOL WATER DISTRICT	22,870.00								22,870.00							
H	201.14	CASH - COUNTY RD. 30 EXT #36	81,065.00								81,065.00							
H	201.15	CASH SEWER CAPITAL PROJECT	23,500.00								23,500.00							
H	201.16	CASH HICKOX ROAD WATER DISTRICT	29,769.60								29,769.60							
H	201.17	CASH - OUTHOUSE PARK	(190,557.45)								(190,557.45)							
H	201.250	CASH - PURDY PROJECT CDBG	-								-							
H	201.251	CASH - PURDY EFC	15,319.42									15,319.42						
H	201.4	CASH - PARRISH STREET EXTENSION	22,783.00								22,783.00							
H	201.5	CASH - DEV. OF PARKS AND REC	-								-							
H	201.7	CASH - HOPKINS-GIMBLE WATER DISTRICT	8,833.00								8,833.00							
H	201.NOTT	CASH - NOTT ROAD CAPIAL PROJECT	38,077.73								38,077.73							
PN	202	CASH - INVESTMENTS	13,956.88			13,956.88												
S	201.241A	CASH - ANDREWS-NORTH WATER	-															
S	201.241B	CASH - CANADAIGUA-FARMINGTON WATER	-															
S	201.246A	CASH - CANANDAIGUA BRISTOL JOINT WATER	-															
S	201.246B	CASH - EMERSON ALLEN TL RD. WATER	-															
S	201.248	CASH - RISSE RD. WATER	-															
S	201.248C	CASH - HOPEWELL WATER	-															
S	202.241	CASH - INVESTMENTS - NOTT RD. EXT. #6 WATER	1,734.37			1,734.37												
S	202.241A	CASH - INVESTMENTS - ANDREWS-NORTH RD WATER	6.81			6.81												
S	202.241B	CASH - INVESTMENTS - CANADAIGUA-FARMINGTON WATER	62.88			62.88												
S	202.243	CASH - INVESTMENTS - EXT. 8 WEST LAKE SOUTH	9,712.33			9,712.33												
S	202.244	CASH - INVETMENTS - EXT. 9 CRAMER RD. WATER	2,374.34			2,374.34												
S	202.245	CASH - INVESTMENTS - PARRISH STREET WATER	4,532.00			4,532.00												
S	202.245A	CASH - INVESTMENTS - WEST LAKE WATER (BENEFIT BASIS)	2,262.25			2,262.25												
S	202.245.B	CASH - INVESTMENTS - MCINTYRE RD. WATER	2,961.19			2,961.19												
S	202.246	CASH - INVESTMENTS - EXT. 10 WYFELLS RD.	5,565.76			5,565.76												
S	202.246A	CASH - INVESTMENTS - CANADAIGUA-BRISTOL JOINT WATER	51,652.45			51,652.45												
S	202.246B	CASH - INVESTMENTS - EMERSON ALLEN TL RD. WATER	8.53			8.53												
S	202.247	CASH - INVESTMENTS - CANADAIGUA CONSOLIDATED	14,266.63			14,266.63												
S	202.247A	CASH - INVESTMENTS - EXT. 11 ADAMS RD. WATER	3,363.01			3,363.01												
S	202.247.B	CASH - INVESTMENTS - EXT. 36 COUNTY RD. #30 WATER	82,266.78			82,266.78												
S	202.248	CASH - INVESTMENTS - RISSE RD. WATER	126.67			126.67												
S	202.248A	CASH - INVESTMENTS - HOPKINS-GRIMBLE WATER	16,406.84			16,406.84												
S	202.248C	CASH - INVESTMENTS - CANANDAIGAU HOPEWELL WATER	41.72			41.72												
S	202.249	CASH - INVESTMENTS - PARRISH RD. EXT. WATER	22,944.46			22,944.46												
SD	200	CASH - CHECKING	-		-													
SD	202.241	CASH - INVESTMENTS - RT. 332 DRAINAGE	163,290.12			163,290.12												
SD	202.241A	CASH - INVESTMENTS - LAKEWOOD MEADOWS DRAINAGE	23,259.56			23,259.56												
SD	202.243	CASH - INVESTMENTS - ASHTON DRAINAGE	10,698.71			10,698.71												
SD	202.244	CASH - INVESTMENTS - FOX RIDGE DRAINAGE	14,147.86			14,147.86												
SD	202.245	CASH - INVESTMENTS - LANDINGS DRAINAGE	4,923.87			4,923.87												
SD	202.246	CASH - INVESTMENTS - OLD BROOKSIDE DRAINAGE	4,761.08			4,761.08												
SD	202.247	CASH - INVESTMENTS - LAKESIDE ESTATES DRAINAGE	1,482.54			1,482.54												
SD	202.248	CASH - INVESTMENTS - WATERFIRD POINT DRAINAGE	4,347.57			4,347.57												
SD	202.249	CASH - INVESTMENTS - STABLEGATE DRAINAGE	8,573.73			8,573.73												
SF	202.241	CASH - INVESTMENTS - FIRE PROTECTION DISTRICT	172,728.71			172,728.71												
SL	200	CASH - CHECKING	-		-													
SL	202.241	CASH - INVESTMENTS - CENTERPOINT LIGHTING	4,625.97			4,625.97												
SL	202.242	CASH - INVESTMENTS - FOX RIDGE LIGHTING	15,491.90			15,491.90												
SL	202.243	CASH - INVESTMENTS - LANDINGS LIGHTING	4,583.18			4,583.18												
SL	202.244	CASH - INVESTMENTS - LAKEMEADOW LIGHTING	9,242.65			9,242.65												
SL	202.245	CASH - INVESTMENTS - FALLBROOK PARK LIGHTING	7,135.87			7,135.87												
TA	200	CASH	283,519.87										283,519.87					
TE	202	CASH - INVESTMENTS	75,586.69			75,586.69												
V	201.10	CASH - ROUTE 322	79,769.47														79,769.47	
V	201.11	CASH - MCINTYRE WATER DISTRICT	1,460.23														1,460.23	
V	201.12	CASH - BRISTOL WATER DISTRICT	18,979.37														18,979.37	
V	201.14	CASH - RD. 30 EXT. #36	396.00														396.00	
V	21.16	CASH - HICKOX ROAD WATER DISTRICT	173.00														173.00	
V	201.2	CASH - SALTSTORAGE BLDG.	4,185.00														4,185.00	
V	201.3	CASH - EXT.#13	9,544.89														9,544.89	
V	201.4	CASH - PARRISH STREET EXTENSION	2,653.00														2,653.00	
V	201.7	CASH - GIMBLE WATER DISTRICT	2,066.00														2,066.00	
			7,715,555.39	250.00	15,680.83	5,020,964.92	1,590,484.69	447,167.09	125,251.60	57,834.13	39,855.88	15,319.42	283,519.87	119,226.96	-			
BANK STATEMENT BALANCES			7,699,774.06	250.00	43,022.58	4,939,824.28	1,590,484.69	447,167.09	125,251.60	57,834.13	39,855.88	15,319.42	321,537.43	119,226.96				
DEPOSITS IN TRANSIT						4,140.64												
		Bank error redeposited on 1/5/15				77,000.00												
		Nott Road Serial Bond deposited on 1/22/15																
OUTSTANDING CHECKS (Schedule attached)					(32,227.88)								(38,017.56)					
IDENTIFIED DIFFERENCES TO BE ADJUSTED (Schedule Attached)					4,886.13													
BALANCE ON KVS BOOKS				250.00	15,680.83	5,020,964.92	1,590,484.69	447,167.09	125,251.60	57,834.13	39,855.88	15,319.42	283,519.87	119,226.96				

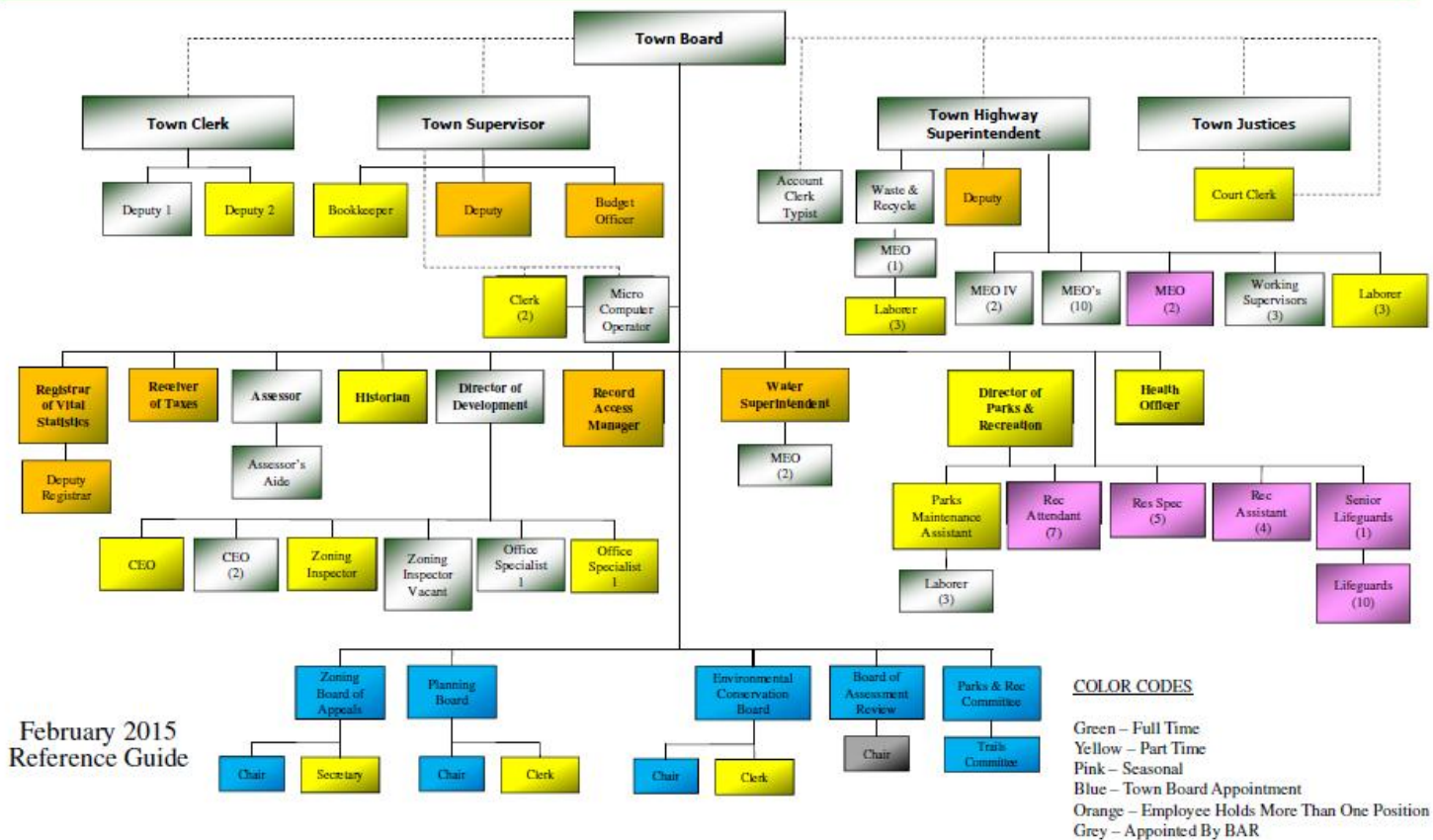
## TOWN CANANDAIGUA - QUARTERLY SALES TAX 2010 - 2015

	2010	2011	2012	2013	2014	2015
<b>1st QTR</b>	\$892,222.46	\$932,709.29	\$979,856.73	\$1,011,801.81	\$997,351.86	
<b>2nd QTR</b>	\$954,031.02	\$954,031.02	\$1,007,642.30	\$1,032,260.28	\$1,015,727.84	
<b>3rd QTR</b>	\$999,167.41	\$1,042,569.39	\$1,060,767.07	\$1,090,071.69	\$1,120,535.36	
<b>4th QTR</b>	\$952,304.82	\$1,017,929.59	\$1,073,989.72	\$1,042,466.91	\$1,113,477.06	
	\$3,797,725.71	\$3,947,239.29	\$4,122,255.82	\$4,176,600.69	\$4,247,092.12	\$0.00
	<b>PROJECTED + / (-) ACTUAL</b>					\$297,092



## Attachment #8 – REVISED Organizational Chart

### TOWN OF CANANDAIGUA ORGANIZATIONAL CHART



February 2015  
Reference Guide

## **Attachment #9 Proposed Credit Card Policy & Procedure**

### **TOWN OF CANANDAIGUA**

#### **Policy and Procedure for Accepting Public Credit Card Payments**

*Adopted by the Canandaigua Town Board on February 29, 2015. Resolution \_\_\_\_\_.*

In an effort to improve customer service and operating efficiencies, on June 9, 2014, the Canandaigua Town Board adopted Resolution 2014-112 authorizing the acceptance of credit cards for the payment of certain items such as park reservations, water purchases and permitting fees. At a future date, the Town Board may approve credit cards for the payment of Town or County taxes.

#### **POLICY:**

The Town will accept certain credit cards for the payment of all transactions except Town and County tax bill payments. The credit card user will be responsible for all fees associated with the credit card use.

#### **PROCEDURE:**

1. The Town Board is responsible for selecting a credit card service provider that offers competitive user fees and services that meet the needs of the receiving department. Once selected, the service provider contract will be reviewed and approved by the Town Board on an as needed basis. At no time shall the Town allow service fees to be paid by anyone other than the user.
2. The Town Clerk's office will accept the use of a credit card for the payment of certain transactions. As the technology becomes available, the Town Board may elect to add a credit card payment option for walk-in visitors and renters at Onanda Park.
3. The Town Clerk or designee must balance the credit card receipts against the Daily Cash Report when cash receipts exceed \$250.00. In addition the Town Clerk or designee will review the daily transaction reports for obvious errors, omissions or discrepancies between the credit card service provider and the Town Clerk accounting reports.
4. The Town Clerk or designee shall reconcile the credit card receipts against the service provider account on the 1<sup>st</sup> and 15<sup>th</sup> day of each month. In the event Town offices are closed on the 1<sup>st</sup> or 15<sup>th</sup> of the month, the Town Clerk or designee will complete the reconciliation either the day preceding or the day following the closure. A copy of the reconciliation reports shall be provided to the Town's financial advisor for review.
5. Prior to the 10<sup>th</sup> day of each month, the Town Clerk will present the Town Supervisor with an accounting summary report along with a check made payable to the Town of Canandaigua, for the amount of payments collected during the prior month. The accounting reports must show the amount charged to the service provider and the amount paid to the Town.
6. The Town Board is responsible for reviewing this policy on an annual basis and making modifications as needed.

# **Town of Canandaigua Credit Card & Credit Account Policy and Procedure**

*Adopted by Town Board on \_\_\_\_\_ Resolution # \_\_\_\_\_*

Policy: The Town Board of the Town of Canandaigua hereby authorizes the use of Town Board approved credit cards and credit accounts by employees for the sole use and benefit of the Town of Canandaigua. The purpose of the credit cards and credit accounts is to streamline and simplify the purchasing and payment process for certain transactions. Any and all purchases made with a credit card or on a credit account must be made in accordance with the procedures contained herein. Failure of an employee or elected official to adhere to the requirements and restrictions of this policy will result in appropriate disciplinary or remedial action.

## Procedure:

### Establishing Credit or Securing a Town Credit Card:

1. Only the Town Board may approve the creation of a town charge account.
2. Prior to the establishment of a store credit card or store credit account, the Town Board shall, by resolution, approve the account, designate who has the authority to sign the contract between the retail business and the Town of Canandaigua, and who has authority to have access to the account.
3. On an annual basis, the Town Board will review, and if needed modify, this information.
4. The Department Manager shall be responsible for immediately notifying the store in writing when an employee is no longer authorized to use an account. A copy of this written notice must be provided to the Bookkeeper and the Town Board.
5. The Town Bookkeeper is responsible for maintaining all credit card information (including the information for reporting lost or stolen cards), a current list of charge accounts and a list of approved users.

### Authorized Users:

1. Use of credit cards / credit accounts is restricted to current employees and elected officials.
2. Authorized users shall sign a statement indicating they have read and understand the Town of Canandaigua Credit Card & Store Account Policy.

### Use of Credit Cards and Credit Accounts:

1. Store credit cards shall be kept in the Town Clerk's office vault or in the Highway Superintendent's office safe.
2. Upon approval from their department head, an authorized employee may sign out a store credit card or use a store credit account. The employee shall sign their name, the date, credit card name, and the time the card was signed out into the log book prior to using the store credit card.
3. Upon return from making a purchase, the credit card shall be returned to the Town Clerk's or Highway Superintendent's office and the employee shall note in the log book the amount spent, and the date and time the card was returned.
4. The receipt for all purchases shall be returned to the Town Clerk's or Highway Superintendent's office the same business day or within 24 hours. The person making the purchase shall sign the receipt and return the receipt to the Dept Head.
5. The Dept Head must review the receipt to insure only approved items have been purchased. Once approved and within 24 hours, the Dept Head must sign and date the receipt and submit the receipts to the Town Bookkeeper.
6. The Town Bookkeeper is responsible for reconciling the receipts with the billing statement.

### Compliance with Credit Limits and Procurement Policy:

1. A credit card / credit account may be utilized to make purchases up to the amount authorized for expenditures without prior Town Board approval and in accordance with the Town's Procurement Policy.
2. Under no circumstances will purchases be permitted which exceed the credit limit imposed by the store.

Limits and Restrictions:

1. The credit card / credit account shall not be utilized for items of personal use, amusement or entertainment purposes, alcoholic beverages, or any product, service, or fee that would not be authorized pursuant to the purchasing policies adopted by the Town of Canandaigua.
2. An employee who makes an unauthorized purchase will be liable for and must pay the Town of Canandaigua the total dollar amount of such unauthorized purchases, plus any finance charges or administrative fees charged by the store in connection with the misuse.
3. Appropriate administrative or judicial actions will be taken by the Town of Canandaigua to recoup such costs, if necessary.

Lost or Stolen Cards:

1. Employees are responsible for safeguarding the card while in their possession.
2. Lost or stolen cards shall immediately be reported to the department head and Town Bookkeeper.
3. The Town Clerk and the Town Highway Superintendent are responsible for immediately notifying the credit card company, both verbally and in writing, as well as the Town Bookkeeper, and the Town Supervisor.

Bill Payment:

1. At no time shall a store receipt be entered into the accounting system for payment without the monthly billing statement from the store company, unless a particular store does not mail a monthly statement to the Town.
2. Upon reconciliation of store billing statements against the sales receipts, the Bookkeeper, Town Clerk, or Highway Superintendent shall then enter the invoice amount into the Town's accounting system.
3. The billing statement and corresponding receipts shall be attached to the printed voucher.
4. The billing statement, receipts, and voucher will be submitted for Town Board review and approval.
5. All balances shall be paid in full by the Town on or before the date due.
6. At no time shall the Town of Canandaigua incur finance charges as a result of failure to pay a credit card bill in a timely manner.

## **TOWN BOARD ANNUAL REVIEW OF ESTABLISHED CREDIT CARDS AND CREDIT ACCOUNTS**

Reviewed and Approved by the Canandaigua Town Board on \_\_\_\_\_ Resolution # \_\_\_\_\_

### **List of Credit Cards As of 2.2015:**

- WalMart
- Wegmans
- Tractor Supply
- Lowes

### **List of Authorized Users of Credit Cards & Credit Accounts:**

- Assessor or designee
- Director of Development or designee
- Town Clerk or designee
- Town Supervisor or designee
- Historian
- Highway & Water Superintendent or designee
- Director of Parks and Recreation or designee

### **List of Credit Accounts As of 2.2015:**

- HEP
- Shortsville Auto Parts
- Sherwin Williams
- Auto Value Finn's Auto
- Mayflowers Gardens
- Radio Shack
- Northern Nurseries



## **Attachment #10 Department Reports**





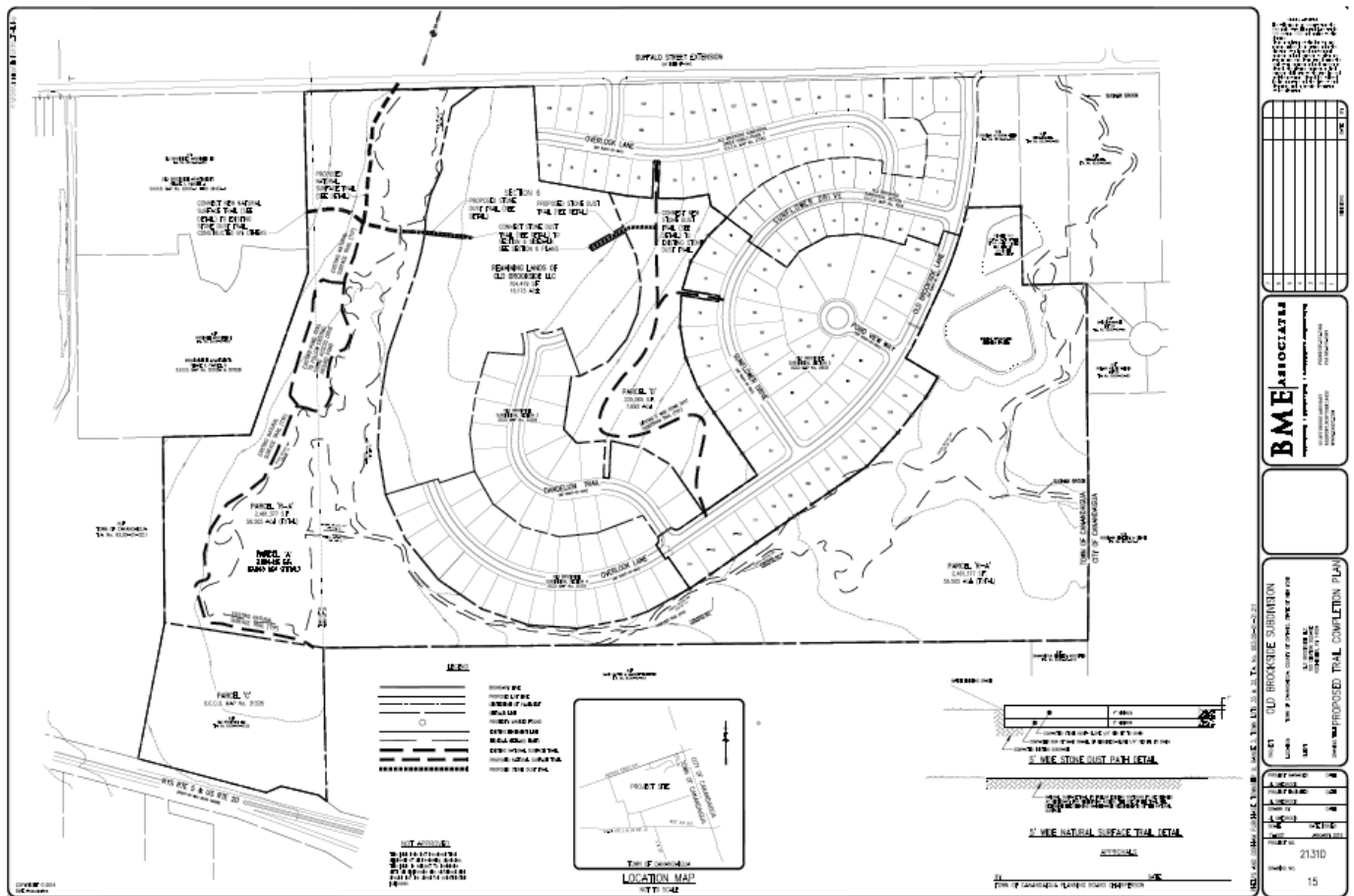


**Attachment 11 – Town of Canandaigua NYS Dept of Environmental Conservation Annual Solid Waste Report**

**Attachment #12 Town of Canandaigua NYS Department of Environmental Conservation Annual Electronics Report**

*Attached are the electronics recycling rates. The DEC report will be provided at the meeting.*

## Attachment #13 Old Brookside Proposed Trail on Town of Canandaigua Owned Lands





**Attachment #14** BLR Enterprises Seasonal Lawn Maintenance Proposal

**Attachment #15** Tenco Brochure